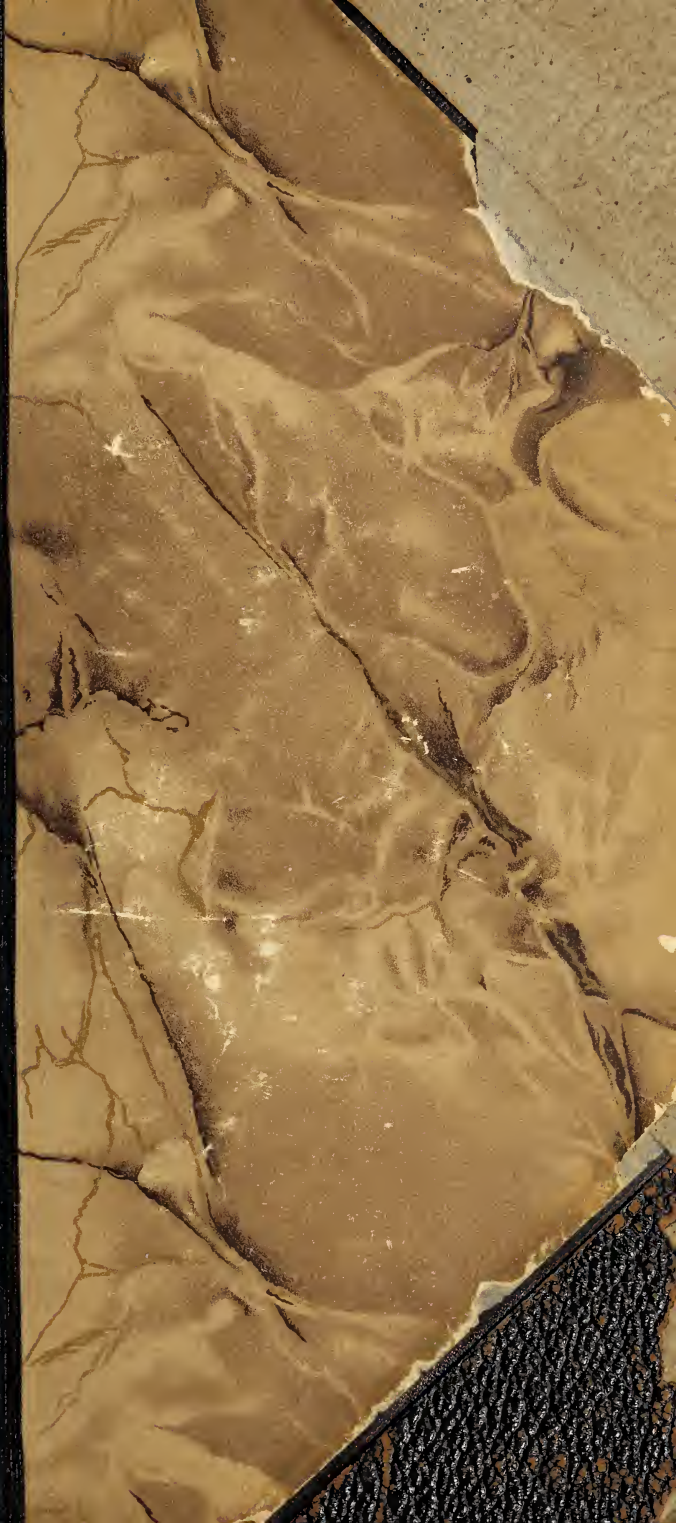


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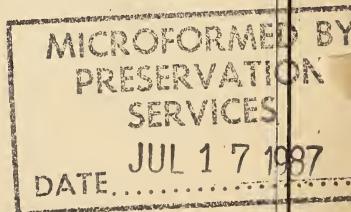
An Account of the Manner
IN WHICH SENTENCES OF
PENAL SERVITUDE
ARE CARRIED OUT
IN ENGLAND. /

BY
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&c., &c., &c.

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AN ACCOUNT
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ARE CARRIED OUT IN ENGLAND.



THE subject of Prison Management, and the question of the best manner of carrying out the sentences of the law, have been topics of earnest discussion in England for upwards of one hundred years.

Long and extensive experience of England on this subject.

During that period numerous different views and systems have been brought forward and experimented on, and, in fact, it is difficult to propose any system now on which *some* light may not be thrown by our experience in England or in the Colonies. The history of the latter especially affords a great source of knowledge and experience, and so much is our present system the result of, and founded on the transportation system (which

ceased entirely only four years ago,) that those who wish to acquire a full and connected acquaintance with our views and practice should not fail to study the history and phases of that system.

Various systems tried in our Penal Colonies.

We have tried, at various times, as portions of our penal system in the colonies, simple deportation or banishment;—we have tried assigning convicts to live as servants in families of free people;—we have tried retaining them under charge of the Government, but hiring out their labour to free people for the benefit of Government;—we have tried planting them out in bodies in a condition of semi-freedom, to work with pay for Government until employers hired them;—and we have tried, in England, the exact reverse of this, viz.:—keeping them in isolation for lengthened periods in cells.

Existing system.

Finally, we now carry out a system involving a moderate period of isolation, followed by a period, during which prisoners live in absolute separation, but work in association. The considerable success which our efforts have met with, figures will easily show.

History of our system.

The more recent history of our Penal System is as follows:—Until about 1843 our convicts

were all sent, firstly, either to Millbank or to the hulks, and thence a large number were transported to the Colonies.

In 1842, Pentonville Prison was opened, and the course of punishment a convict was to go through was reduced for the first time to a definite system. Then was commenced the plan of subjecting selected prisoners on their first reception to a term of strict separation, during which, influences, both penal and reformatory, were brought to bear on them. Those who were thought to have profited by this discipline were then transported to a Penal Colony to undergo the remainder of their sentences, under conditions which varied in their character, according to the disposition the prisoner had manifested during his probation in Pentonville Prison. Soon after this, another stage was introduced into the course, and the system henceforward applied to all prisoners. Every convict passed first through the stage of absolute separation; he was then removed to a prison in which each prisoner had his separate cell, but performed regulated labour in association; and from among the convicts in this stage were selected the men who should be sent to perform the rest of their sentences in the Penal Colonies, passing through stages which led

First institution of a definite system.

Transportation.

Associated labor in England preceding transportation.

progressively to freedom, the last stage being under conditions which resemble that to which the name of the "Intermediate Stage" has been given; and concluding their sentences in a state of conditional freedom, such as is known in England by the name of "Conditional Release."

Existing system dates from 1863, but founded on previous systems.

In 1863, a Royal Commission, composed of men of the largest experience and authority, was appointed to consider the whole subject of transportation and penal servitude. While approving generally the system then in force, they recommended, nevertheless, certain important modifications. It was shortly after this that transportation ceased; and as this had previously formed so important a part of our system of disposing of our criminals, it may be said that the penal system now in force in England dates its present phase from that period.

Progressive decrease in crime, culminating in 1871;

The statistical tables of crime must be studied by those who wish to appreciate the effects of the changes we have made at various times. It will be sufficient if I here give the following figures, showing the remarkable decrease of crime of late years; by which it will be seen that while 1870 gave the smallest number of sentences to penal servitude which

had ever been known—being 10 per cent. less than the previous year; the year 1871 has again fallen as much below its predecessor, the number being nearly one-fifth fewer than in 1869.

The following statistics of sentences of penal servitude in Great Britain will enable the remarkable decrease in serious crime to be appreciated; and this decrease is not to be accounted for by any other facts than that there has been a genuine decrease in crime.

shown both in sentences of Penal Servitude,

| | |
|--------------------------------------|------|
| Average in 5 years ending 1859 | 3042 |
| Average in 5 years ending 1864 | 3109 |
| Average in 5 years ending 1869 | 2587 |
| Actual number in 1870 | 2015 |
| Actual number in 1871 | 1818 |

The sentences of imprisonment for short periods for indictable offences have also decreased very considerably, at the same time that the increase of population would have well accounted even for an increase.

and Imprisonment.

RETURN OF IMPRISONMENT FOR INDICTABLE OFFENCES.

| | | | |
|---------------------------------|----------|--------|--------------------|
| Average number of sentences of | | | |
| Imprisonment in England and | | | |
| Wales during 5 years ending.... | | | |
| | 1859.... | 12,536 | |
| „ | „ | „ |1864....11,406 |
| „ | „ | „ |1869....12,058 |
| Actual number in..... | 1870.... | 10,908 | |
| „ | „ | „ |1871....10,083 |

Re-convic-
tions.

The number of re-convictions has also steadily decreased of late years.

| | | | |
|-------------------------------------|------|-----|-----|
| The average number of re-convic- | | | |
| tions during the 5 years ending.... | 1859 | was | 357 |
| „ „ „ | 1864 | „ | 668 |
| „ „ „ | 1869 | „ | 523 |
| During the year..... | 1870 | „ | 343 |
| „ „ | 1871 | „ | 413 |

The increase of 1871 is due, probably, to the effective execution of the Act passed that year for the Prevention of Crime.

Fallacious
test of a pri-
son system.

This part of the statistics is very often alleged to be the test of the efficiency of a prison system. To my mind there can be no greater fallacy.

In the first place, the number shown in the statistics may be largely affected by the removal to other jurisdictions, or emigrations, &c., or by imperfect police arrangements.

Moreover, the re-convicted man may have been discharged several years ago, and if the prison system grows and improves as it ought to do, or receives important modifications as sometimes happens, the result of the treatment a prisoner underwent years back can be no test of the efficiency of the system carried out now; and besides, the effect on his mind of his

treatment in prison must get weaker as time goes on.

But it seems to me on principle to be fallacious. Punishment is inflicted much more for the purpose of deterring from crime the enormous number of *possible* criminals, rather than for any effect on the criminal himself; and if a certain number of crimes must be committed every year, I think it much more to be desired that those crimes should be committed by one set of people than that fresh recruits should be brought into the criminal ranks.

Object of punishment, to deter *possible* offenders.

If, therefore, we once succeed in getting the number of convictions down to a minimum, I shall consider that statistics which show that the number of re-convictions bears a *large* proportion to the first convictions, is both a proof of the efficiency of the police and of the deterrent effect of the penal system.

To make our tables of re-convictions complete also, we ought to bring the discharges and re-conviction of convicts still in Australia into the account and this would largely affect the proportion.

Statistics imperfect, from not including Australia.

I do not think that either an increase or a decrease in crime is affected by prison systems, nearly to such an extent as it has been asserted

Prison systems have less effect than some other causes.

that they are, unless, indeed, the prisons are very bad indeed, such as our convict prisons have not been for many years. The prosperity of the country—the facilities for getting a living honestly—the condition of education, moral and literary—the efficiency of the police—all contribute to affect the statistics of crime. But certainly an effective penal system bears its part, and that an important part, in attaining the object.

I will now endeavour to give briefly a view of the system to which, in part, at all events, it is fair to attribute the remarkable results shown by the above figures.

I will begin by a short statement of the course adopted in bringing an offender to punishment, and this is the more desirable because success in the repression of crime depends at least as much in the way in which these preliminary stages are carried out, as on the subsequent treatment of the criminal under punishment; and the statistics of crime are obviously dependent as much on the police organization by which crime is detected, and the efficiency of the law and of the legal practice by which it is brought to justice, as on the rules or system by which punishment is carried out; and also because there are points in

Steps by
which an of-
fender is
brought to
punishment.

connection with the treatment of persons accused, but not yet convicted of crime, to which attention may be usefully directed.

The first step taken by a person who has suffered from a crime committed against him or his property, is, of course, to apply to the police, and give them all information which may enable them to trace out the offender.

As it is obvious that no system for the treatment or punishment of offenders after they are caught can be of much avail in repressing crime, unless the means of detecting and apprehending the offenders are effective, it follows that the first and most important object to be attained in endeavouring to repress crime by punishment is to approach as nearly as possible to *certainty of detection*. The police must therefore be effectively organized; they must be intelligent, and, above all, honest; and they must have a good knowledge of the ways and practices of criminals, and, as far as can be attained, some personal knowledge of them.

Certainty of
detection the
first necessity.

Supposing that the person who has committed the offence can now be identified, or that suspicion is strongly directed on somebody, the next step taken is to swear an information to that effect before a magistrate, and procure

Apprehension

a warrant for the apprehension of the supposed offender. The effective execution of this step again depends on the vigilance, intelligence, and knowledge of the police.

If the offender is apprehended, he is lodged in cells under charge of the police, until he can be brought before the magistrates in Petty Sessions, who will hear and determine, on sworn evidence, the charge against the prisoner, and any defence he may set up; and if they consider that the case is *primâ facie* made out against him, they may either remand the case for further evidence, or may, if they are satisfied with what they have heard, either inflict such punishment as is in their power, or, if the law requires or allows it, can send him to prison for trial at Quarter Sessions or Assizes.

Defects in
arrangement
for the cus-
tody of un-
tried offenders

This is the proper place in which I should point out what seems to me to be an important defect in our law and criminal arrangements. For a century or more we have been endeavouring to improve our prison buildings—we have by law enforced that every *convicted* prisoner should be lodged in a separate cell where he can eat and sleep alone, unable to contaminate others or be contaminated himself; we have enacted that his cell shall be properly warmed

and ventilated, that he shall be provided with means for communicating with the warder in case of sickness or for any other reason. We provide him with books, with medical attendance, with means of cleanliness, and, in fact, with every requirement of health and decency, but the unconvicted prisoner we have entirely neglected to provide for by law, and consequently we find that though a sense of right has in many cases led to proper provision being made, there are places where all these things are absolutely wanting, and where a decent man who has got into trouble may find himself crowded in with the vilest set of criminals, or passing the night with a noisy crew of drunkards in a room or cell without the means of light, warmth, or ventilation. This state of things ought, it seems to me, to be remedied by proper legal enactments, for no unconvicted prisoner should suffer more inconvenience than is necessary in order to ensure the security of his person.

The next step taken in arriving at the con-
 viction of an offender is his trial. Trial. Without detailing the various kinds of courts for the trial of offenders, it is enough to say that if his crime is serious, his trial takes place at the Assizes, which are held twice a year (or three times in some places.) It is clear that the first

necessity for promoting the ends of justice is that the evidence in the case should be fully and fairly laid before the court. The prisoner and his friends have, of course, every interest to represent their defence, and means of doing so are not usually wanting ; but the law by which the person who has already suffered the wrong has further to take on himself the burthen and expense of carrying on a prosecution in which he has no more interest than any other member of society, is both a greivous wrong to him and may give an undue advantage to the criminal. Probably many cases occur in which a man prefers to suffer in silence the first loss caused by the crime, rather than add to it the trouble and loss he will suffer if he has to prosecute.

Certainty of conviction of offenders the second necessity.

I have referred to "certainty of detection" as the first point to be aimed at in endeavouring to promote the repression of crime. "Certainty of conviction" is an equally important point in connexion with the subject, and for which proper means should be provided.

The charge against the prisoner, framed on the depositions taken before the Committing Magistrate, is now taken before the Grand Jury, who consider whether there is a case on which to indict the prisoner ; and if they find

a true bill, he is put on his trial. The counsel for the prosecution states to the Jury the case against the prisoner, and brings evidence; the counsel for the prisoner state the prisoner's defence, and brings his evidence; either counsel cross-examine the witnesses of the other; the counsel for the prosecution replies to the defence, the Judge sums up the evidence impartially for the assistance of the Jury, directing them on points of law, and impressing on them that if they have any reasonable doubt they are to give the prisoner the benefit of it.

If the prisoner is found guilty, he is then sentenced by the Judge. If the sentence is to

The Sentence.

a short term of imprisonment, he is sent to a

County or Borough Gaol—establishments which are managed entirely by the local magistracy, subject, of course, to the Acts of Parliament, the due execution of which, however, is but very imperfectly provided for by a very limited control on the part of the Government,—but if his sentence is to penal servitude, he finds his way, in due course of time, either to the Government Convict Prison of Pentonville or to that at Millbank, in one of which prisons the first part of his sentence is in all cases carried out.

The County and Borough Prisons.

The Government Prisons.

I may here mention that in England a sentence of penal servitude is in its main features, and so far as concerns the punishment, carried

All convicts subjected to the same system of punishment.

Various reasons why this should be the case.

on exactly the same system to every person subjected to it. The previous career and character of the prisoner makes no difference in the punishment he is subjected to, because it is considered, and rightly, I think, that it is for the Courts of Law, who have, or should have, a full knowledge on these points to consider them in awarding the sentence, and if any prisoner was subjected to harsher or milder treatment in consequence of any knowledge the prison authorities might have of his previous character, it might be that he would practically be punished twice over on the same account, and on information much less complete and less impartial than the Court of Law would have at its command. The Government would also always be liable to charges of favouring or spiting certain particular prisoners; and any feeling of this kind would be fraught with danger and inconvenience.

The Judge should be able to know the exact effect of his sentence.

It is also considered, and justly, that the Judge or Court who passes the sentence should know, or should be able to know, precisely the exact effect of the sentence, and this would be impossible if any discretion rested with the executive officers, as to the mode of carrying out the punishments. At the same time, it is open to consideration whether more than one mode of the carrying out the [punishment

might not be *laid down by authority*, as applicable to certain defined cases, or a discretion might be given to the Judges as to the system which each prisoner should be subjected to.

Whether or not this alteration should be made, depends on the importance attached to the effect of punishment as an example to deter others from the commission of crime; or to its effect in deterring or reforming the individual himself.

Our convict system is devised with a view to combine the principles of deterring from the commission of crime and reforming the offender. The latter is an object which for every reason we are bound to follow strenuously, but it must not be effected in such a manner as to interfere with the former, because punishment is primarily to prevent crime by the warning held up to those who might, but for such influences, fall into it.

Leading principles of our system.

A sentence of penal servitude in England is divided into three principal stages: the first stage is passed at Pentonville or Millbank; it endures for nine months in all cases, and for that period the prisoner passes his whole time—excepting the period allotted to prayers and exercise—alone in his cell, working at some

Three stages of a sentence of Penal Servitude.

“Refuges”
for women.

employment of an industrial or remunerative character. The second is passed in a prison in which he sleeps and has his meals in a separate cell, but works in association under a close and strict supervision at employment suited to him. The third period is that during which he is conditionally released from prison, but kept under the supervision of the Police, and liable, for any infraction of the conditions of his release, to be returned to prison, there to fulfil the whole remitted portion of his sentence. A stage intermediate between the Public Works and the Conditional Release is applied to women, who may be sent to “Refuges” for six months before their release on licence,—establishments managed by private people who interest themselves in preparing the women for discharge, and in procuring suitable situations for them.

It is not necessary for me to state in detail here the rules laid down for the treatment of prisoners in the three stages, but I will give an outline of the objects which are aimed at. Further information will be found in the Appendices.

Object of the
first stage in
isolation.

The first is that every convict should be subjected to a period of strictly separate confinement which not only is a severe penal discipline, but during which his mind is thrown

in upon itself, and he cannot fail to feel, that however agreeable may have been his previous life, probably one of idleness and excitement, he pays dearly for it by the dull monotony and hard work, scanty fare, and above all, the absence of freedom and constant supervision which is his present condition and which form his prospect for some years to come.

During this time he becomes open to lessons of admonition and warning, religious influences have full opportunity of obtaining access to him; he is put in that condition when he is likely to feel sorrow for the past and to welcome the words of those who shew him how to avoid evil for the future.

I have said that this stage of a prisoner's sentence endures for nine months, and it may naturally occur to anybody to ask if its effects are both penal and reformatory such as I have described and believe them to be, why the same treatment should not be followed throughout the whole of the sentence? The reason is, that it has always been held that we must bear in mind that the prisoner should not only be punished and *taught* what is right, but should be returned to society fitted both morally and physically to fulfil his proper duties in the battle of life.

Why not
prolonged.

Perpetual seclusion in a cell for years, with no communication with his fellows, is an artificial state of existence so absolutely opposed to that which nature points out as the condition of mental, moral and physical health, and so absolutely unlike that which he is to be prepared to follow on his discharge from prison, that it cannot be expected to fulfil the required object.

When the system of separate confinement was first established in the model prison at Pentonville years ago—the duration of the period of separate confinement was fixed at eighteen months.

Results, however, showed themselves which could not be neglected. It was shewn incontrovertably, as the reports of the commissioners demonstrated, that the minds of the prisoners became enfeebled by long continued isolation, and after various trials the present term of nine months has been fixed on as the longest to which prisoners can with advantage be subjected to this stage of the discipline.

Moral and
mental
instruction.

Keeping in view the principle that during his imprisonment the convict is to be prepared and enabled to lead a reformed life when he is discharged, attention is paid during this period

both to his moral, mental, and literary education.

Moral and
mental
instruction.

Every prison has its staff of Ministers of Religion, who in nearly all cases, are not permitted to have any other duties, and who therefore can devote their whole time to the improvement and advantage of the prisoners placed under their spiritual care.

The advantage of thus inculcating religious feelings will not be contested by anybody, and notwithstanding the doubts which have been called out by injudicious exaggerations of the results of these influences, and by misconception of the true position of and functions fulfilled by the Chaplains of prisons; it is certain that these advantages are much appreciated by prisoners, and that the exertion of the Ministers of Religion bear perhaps as much fruit as in the world outside.

The Prison Library and Educational Department are in charge of the Chaplain's Department. Books are supplied to the prisoners, both of a purely religious and instructive character; and those who are uneducated are taught by a staff of schoolmasters, at least the elements of reading and writing; those who have already some knowledge have oppor-

tunities and encouragement in improving themselves. As a knowledge of reading and writing afford so much opportunity for mental and moral improvement, and may have so important effect on a prisoner's well-being in after-life, great inducements are offered to prisoners to exert themselves to attain it, by rendering some of the subsequent privileges a prisoner may gain conditional on his being able to read and write. For example, no convict can be promoted to the 1st Class unless he can read and write, and after he has been under instruction a sufficient time, he is obliged, if he wishes to enjoy the privilege of communicating by letter with his friends, to do it himself and without assistance. Of course, exceptions to this rule are made, in the cases of men who, from age or mental incapacity, cannot be expected to acquire even the elements of knowledge.

Half-yearly
examinations.

Half-yearly examinations are held to shew the progress each prisoner makes, the result of which may be seen in the yearly report of the Directors of Convict Prisons.—[*See Appendix IV.*]

Educational
results.

Taking the Prisons at Chatham, Portland, and Portsmouth, it is found that of 775 prisoners discharged during 1871, 158 who could

neither read nor write when convicted, had learnt to do both while in prison; and most of the remainder had made advances in the knowledge which they previously possessed.

After passing the allotted time in close confinement the convict is removed to a prison where he is employed at labour in restricted association, in the majority of cases labour on Public Works, or farming, clearing or reclaiming land, and so on, but as some men are not adapted for this kind of employment, there are some prisons in which bootmaking, tailoring, and indoor employments are carried on.

Public Works' stage.

In whatever stage of his sentence a convict may be, he is always provided with a separate cell which he occupies at all times when not at work, at prayers or at exercise. The sick or invalids are necessarily more associated, but the infirmaries recently constructed place the great majority in separation. The chances of contamination are, therefore, reduced to a minimum (a few prisoners at Dartmoor live in association, but this defect will not exist more than a few months longer.)

Convicts always live in separation though they work in association.

Every convict during his sentence may pass through four classes called the probation, the 1st, 2nd, and 3rd class, and certain selected prisoners are also placed during the last year

Classification of prisoners.

of their sentences in a special class. [*Appendix VI.*]

The probation class lasts for one year, nine months of it is passed in a close prison, as already stated, the other three months on Public Works.

The 2nd and 3rd classes must each last for one year at least, and the remainder of the sentence may be passed in the 1st class, unless a prisoner is promoted during his last year into the special class.

Each class has
its privileges.

Promotion into each of these classes is followed by certain privileges, and each class wears its own distinctive badge.

These privileges are necessarily very limited, but still they offer inducements which are much sought after.

No privileges
of diet.

All privileges of increased diet have been abolished since 1864, as it was justly thought that to hold out prospects of food as an inducement to good behaviour was to appeal to the baser feelings, such as a good moral education should endeavour to suppress; and secondly, because it was found that unfavourable impressions were produced outside by comparing the diet of the prisoner who enjoyed these slight improvements in the quantity or quality

of the food, with that of the honest hard-working free man, whose scanty means were hardly sufficient to keep himself and family in health.

The diet in fact is fixed at the minimum necessary to enable a man to execute the work required of him, but if he should be idle and not execute the work, then the amount of his food is reduced.—[*See Appendix V.*]

Diet Scales.

The advantages offered, therefore, by the higher classes, consist in the more frequent communications by visit or letter with their friends, in more freedom for exercise on Sundays, and in the earning of a higher gratuity of money to be paid on the prisoner's discharge.—[*See Appendix VI.*]

Privileges of the various classes.

The period which a prisoner passes in each class is measured not simply by time, but by days of hard work, on a plan which I will explain when I come to the system of marks.

In addition to the present privileges which a prisoner can gain by promotion to a higher class, he is offered the still greater, though more distant advantage, of slightly diminishing the duration of his sentence or obtaining "Conditional Release."

Remission of sentence.

The amount of remission which any prisoner

Maximum amount.

may gain is one fourth of the whole period he passes on Public Works, and this remission is gained by industry alone, and not by "good conduct," which in a prison, can be little more than passive, or abstaining from acts of indiscipline, or irregularity—certainly he is not allowed to profit by any lip professions of piety or reformation.

earned by industry only.

Forfeited by ill-conduct.

Other punishments for ill-conduct.

On the other hand, acts of ill-conduct are followed by forfeiture of remission, degradation to a lower class, and the loss of privileges gained by industry, as well as by solitary confinement, reduction in diet, corporal punishment, and so on, and if by repeated misbehaviour, a prisoner shews that his treatment in the close prison has not had its due effect upon him, and that he is not fit for associated employment on Public Works, he may be ordered to undergo the discipline of the Penal Class in second probation for such period as may be thought necessary; or if during the course of his whole sentence he conducts himself badly, he may be ordered to pass the last six months in separate confinement, so that the deterrent effect of that discipline may be impressed on his mind when he is set free.—
[See *Appendix VIII.*]

Power of punishments.

The power of punishing a prisoner resides only in the Governor and in the Director.

The limits of punishment in both cases are laid down by the Secretary of State, and no punishment can be awarded without full investigation of the charge conducted in the presence of the prisoner. The Governor has powers sufficient to deal with minor offences, and every punishment he orders is reported to the Director with a statement of the prisoner's offence.

Laid down by
Secretary of
State.

The Director, whose functions correspond with those of a Magistrate, awards punishments for offences of a grave character. Only the Director has power to award corporal punishment, and he only for certain offences defined by the Secretary of State, and after full enquiry on oath conducted in the most formal manner. No unusual punishments may be inflicted. Chains, handcuffs, or means of special restraint may not be made use of except under certain defined circumstances, and under strict regulations, and the use of them is always reported and recorded in a formal manner. [*See Appendix IX.*]

The Director
acts as
Magistrate.

Rules to pre-
vent abuses in
punishing.

It can hardly be necessary to add that no officer is allowed to strike or abuse a prisoner. Should he find it necessary on account of the violence of any prisoner to make use of his weapons, he is always called upon to shew that he confined himself strictly to the necessities of the occasion, or failing to do so he must bear the consequences.

No officer
allowed to
illtreat a
prisoner.

Prisoners
must feel they
are treated
justly.

To maintain a strict and stern discipline without exciting constant resistance, it is above all things necessary that the prisoners should feel that the rules are carried out justly and fairly, that the officers are simply administering the law, and that in case of any abuse of power on the part of an officer he will be held answerable for it.

Appeals by
prisoners.

To this end every prisoner has unrestricted right of appeal against the act of those above him, he may lay his complaint in the first instance before the Governor who is bound to investigate it, and to place the appeal on record, or he may appeal to the higher authority of the Director, who can, if he sees fit, reverse the decision of the Governor.

Position of
Directors.

The Director not coming in daily contact with the officers and prisoners, but only visiting the prison magisterially at uncertain intervals, it is of course felt that he can give a fresh and and impartial consideration to any question or complaint.

Petitions to
Secretary of
State.

Besides this, the prisoners have the power of petitioning the Secretary of State—they exercise freely these rights of appeal and petition; and the effect of these provisions is, not only that prisoners feel that they cannot be unfairly dealt with, but the officers are constantly re-

minded that they are liable to have to answer for any act which they may perform.

The effect of the system of rewards and punishments, by which we are enabled to maintain order and discipline in the prisons, is shewn by the following statement of the number of prisoners punished during the past year 1871. Of 13,582 males who were during the year in the prisons, 6796 did not break the rules in any way, and 6347 were actually punished. Of 2184 females who were during the year in the prisons 1414 did not break the rules, and 689 were actually punished.

Effect of the systems of rewards and punishments.

The return of prison offences during the past year also establishes another fact, that in an average population of 9980, or an aggregate population of 15,766 only 7036 prisoners were punished, and these committed 24,071 offences ; the great bulk of the offences having been committed by habitual offenders against the rules, who form a small number of the offenders punished. Only 128 of the the prisoners discharged in 1871 failed to earn some remission from their sentences, while 1503 gained some remission. Many had never misconducted themselves at all, and a large proportion had gone through their imprisonment

Habitual prison offenders.

of many years with only some trifling breach of regulations recorded against them.

Good order maintained in prisons without constant recourse to punishment.

It seems to me these facts are very important. The result is not due to an easy and slack system, under which offences are passed over without report and without punishment, on the contrary, it will be apparent even to a casual visitor, and is well known to those who are more intimately acquainted with the interior of the prisons that order is strictly maintained, and that the discipline is stern.

The result shews, in fact, that in this respect, at all events, our system produces the result it is intended to do, but more especially it shews that the organization of the department is effective, and that the staff of officers perform their duties with resolution and with judgment.

The Mark System.

The plan by which we endeavour to bring before the prisoner, in a form easily intelligible to him, that as in ordinary life, the advantage held out to him as an encouragement to industry are directly proportioned to his industry; that he cannot be idle for a day without a corresponding loss; that good conduct is necessary as well as industry, because ill conduct will deprive him of the advantages he would gain by his industry—is by a system of recording

the industry by marks. I will not here enter into the details of the system,—[see *Appendix X.*]^{Its objects.}—but I will state the principle on which it is framed, viz. :—

To every man is assigned the duty of earning a number of marks proportioned to the length of his sentence. These marks may be earned either at the lowest rate, in which case he will serve out the whole of his sentence ; or at the highest rate, when he will get off about one-fourth, or at any intermediate rate when he will earn proportionate remission.^{The principles on which it is framed.}

The record by marks applies not only to the amount of remission the prisoner can gain from his sentence, but also to every step in the classes he passes through during his imprisonment ; for instance, he is required to pass at least a year in each of the classes ; but during that time he must earn a definite number of marks, or else his promotion is delayed ; and, further, the gratuity which he earns in each class is calculated according to the number of marks he earns.

To ensure a fair value in marks being assigned to each man's industry, not only is a rigid supervision and check maintained on the working parties by the Principal Warders, the^{Checks to ensure fair award.}

Chief Warder, Deputy Governor and Governor, who pay particular and especial attention to this point,—[see *Appendix XI.*—]—but the prisoners' work is measured by a staff of professional officers, employed for the purpose, who act quite independently of the regular discipline staff, and whose measurement are priced out in money, and afford a check and test of the correctness of the assignment of marks of industry.

Every prisoner is furnished with a card on which, periodically, his earnings in marks are recorded, and if he feels himself unfairly dealt with, he has free right to complain, and his grievances are investigated.

In this manner, day by day, week by week, and year by year, he can count and record the progress he is making, towards an advance in class, in accumulation of money, and towards final remission of his punishment; and he is made perfectly to see and feel that his own fate is in his own hands, and that he has a something to work and to hope for, more than the mere avoidance of punishment.

Female convicts treated in the main on the same principles.

The course followed with regard to the female convicts is in the main the same as I have described with more particular reference to the men. They may earn, however, a

larger proportion of remission, viz.: one third ; and to those whose good conduct and character justifies the hope of complete amendment, a further advantage is held out by their being allowed to pass the six months immediately preceding the term of their release in "Refuges" established and managed by private effort, assisted by contributions from the Government. Here they enjoy the inestimable advantages of a treatment approaching in its characteristics to that of home influence ; for those establishments are not prisons either in appearance or in discipline—they are *homes*. There are now three Refuges for female convicts authorized by the Secretary of State :—the Carlisle Memorial Refuge at Winchester ; the Eagle House Refuge at Hammersmith, for Roman Catholics ; and the Westminster Memorial Refuge lately established at Streatham. 117 women passed through these Refuges last year, out of a total of 275 who were discharged from sentences of penal servitude. The number availing themselves of the advantages they offer was last year limited by want of more accommodation ; but the establishment by the Discharged Prisoners' Aid Society, of the last-mentioned Refuge at Streatham, has prevented the possibility of their suffering this disadvantage again.

"Refuges"
for Female
Convicts.

Great difficulty in disposing of liberated prisoners.

It is at the conclusion of all this course of discipline, punishment, and reformation, when the prisoner is again to be thrown on his own resources, and left to his own guidance to face the trials and meet the temptations to which he has before, once or oftener, succumbed, that occurs the greatest difficulty to those who hope either by fear or reformation to have at least caused a prisoner to wish to do well on his release.

Supervision of the police.

In Great Britain there are two influences brought to bear on a discharged prisoner. Firstly, he is placed for a limited time under the Supervision of the Police to such an extent as to satisfy them that he is not falling again into a career of crime, or in case he should do so, to ensure his being speedily remitted to undergo further discipline in prison. [*See Appendix XII.*]

Discharged Prisoners' Aid Societies.

Secondly, he is offered the assistance of private Societies established expressly for the purpose of aiding discharged prisoners in their efforts to maintain themselves by honest labour. The Government feeling that a work of this nature is one which ought to be carried out by private efforts, still look with great favour on these Societies, and in fact in every reasonable way so far as they judiciously can, encourage prisoners to take advantage of their aid.

Number of
Female Con-
victs aided by
Discharged
Prisoners' Aid
Societies in
1871.

*RETURN of the NUMBER of FEMALE CONVICTS dis-
charged from Convict Prisons during the Year 1871,
showing those who went to Prisoners' Aid Societies
and Refuges.*

| PRISONS | Mission to Women, D.P.A. Society | Refuge, Battery House, Winchester | Refuge, Eagle House, Hammersmith | TOTAL | Not to any Society | TOTAL |
|----------------|--|---|--|-------|-----------------------|-------|
| Millbank | 2 | — | 1 | 3 | 12 | 15 |
| Woking | 19 | 40 | 47 | 106 | 48 | 154 |
| Fulham | 7 | 66 | 23 | 96 | 11 | 107 |
| TOTAL..... | 28 | 106 | 71 | 205 | 71 | 276 |

Number of
prisoners as-
sisted by them.

In the Reports of the Directors of Convict Prisons will be found for some years past the number of prisoners whom these Societies have aided. During the year 1871 nearly half the male prisoners who were discharged, and more than two-thirds of the females, were assisted in this manner.

High impor-
tance of these
societies.

It is a work of charity which for every reason it is desirable to encourage and develop, for nothing can be imagined more hopeless than the condition of a man cast out on the world with a ruined character and without friends to help him, surrounded by temptations from which he has been long removed, or open to the influences of former evil associates.

For centuries Great Britain has taken advantage of the various waste lands of the globe, to deport to them her criminal population, effecting thus the double object of developing countries which but for such aid might never have been the seats of such thriving communities as now exist there; at the same time achieving the object of preventing the formation of a criminal class in this country; whilst as regards the criminal himself, who, so long as he remained in England, would have found it difficult to be anything but a criminal, he found himself placed in such a position that by industry and honesty he would surely gain an ample reward, and where crime offered less inducements than a steady and respectable life.

Preventing the formation of a criminal class, especially since transportation has been abolished.

This resource is now lost to us, and we should well consider the consequences it must have, and take timely steps to avert the consequences such as are referred to in the evidence given before the Committee on Prisons and Punishments in 1847.

A Report from Mr. W. Bayne Ranken, Honorary Secretary of the Discharged Prisoners' Aid Society, in London, (which may be taken to represent these Institutions as the number of cases it undertakes exceeds by far

Report of Mr. W. Bayne Ranken.

that of any other such Society,) will serve to elucidate the principles and results of the work undertaken by these Societies.

Number assisted since 1857.

“The total number we have assisted since our Establishment in 1857, is 7111 up to the present time, and of this number 6528 are male convicts, and 583 females. Of the men we continue to receive not only until the expiration of their license, but in many instances long afterwards, most satisfactory reports.

With satisfactory results.

“It cannot be denied that among the large number of discharged prisoners aided by us, certain cases have proved unsatisfactory, but as far as we know, the vast majority of persons we have assisted have entered on and been established in a respectable course of living.

Particularly with the women.

“With regard to women we are particularly fortunate, and not only have many women obtained respectable situations through the instrumentality of our Society, but have evinced their thankfulness by writing most grateful letters, and calling from time to time at our Office to express their obligation to the Society, bringing in more than one instance contributions from their scanty wages to ‘help some other poor thing.’

“With regard to the men we help;—on their arriving at our office, they are questioned as to their prospects and wishes for the future; are furnished (from the gratuities they have earned in prison, which are paid at their own request into the hands of the Society,) with pocket money, and provided with suitable clothing; they are placed, if remaining in London, in respectable lodging houses known to the Society’s agents, and then every effort is used to get them respectable and suitable employment; many are sent to join their relatives and friends when they have any, who are respectable, and who are ready and willing to assist them. Some obtain berths on board ship, and many get work of various kinds in the Metropolitan District.

Course of proceeding with the society.

“It is, in my opinion, most undesirable to dwell too much or enter too fully into the description of work such men obtain, or give publicity to the names of the large employers of labour who are kind enough to aid these unfortunate persons. Any such knowledge can always be obtained by an inspection of the Society’s books, which are always to be seen at the office, 39, Charing Cross.

“The men employed in the Metropolitan District are visited, periodically, by Agents of

Prisoners aided and visited

periodically
by the society.

the Society, and a daily report is made by these agents of the cases they have visited the previous day ; these reports are verified by the Secretary. A correspondence is also kept up with the Chief Constable of any place to which a man is sent beyond the Metropolitan District, and communications respecting him opened with any Magistrate or Clergyman likely to interest himself on his behalf.

Causes which
have led to
diminution in
crime.

“The diminution of crime, in my opinion, is owing in a considerable degree to the efforts of this Society, and still more to the strict discipline now maintained in convict prisons, which renders men who have once been convicted to penal servitude most unwilling again to run the same risk.

Evidence of
prisoners of
the deterrent
effect of the
punishment.

“At our office our clerk and agents are constantly told by discharged prisoners that they will do *anything* to avoid going back to prison ; nine-tenths of them say so now, whereas a few years ago they made comparatively light of the prospect of future imprisonment. The two deterrent causes work admirably together:—the dread of re-conviction, the assistance to avoid it and to enable the men to become honest if they really wish to do so. They have now every reason to avoid crime, every inducement to try and earn a respectable livelihood.”

Having thus given a general view of the course a prisoner goes through in fulfilling a sentence of penal servitude, I will enter more fully into the manner in which some parts of it are carried out.

It has for many years been an established principle in English Prisons to endeavour to instil into the convicts habits of industry, to develop their intelligence by employing them on industrial labour, and to facilitate their entering the ranks of honest industry on their discharge, by giving them facilities for acquiring a knowledge of trades. These objects are fortunately conducive to another very desirable result, viz.:—that of making the prisons self-supporting in various degrees—some of them doing an amount of labour the value of which more than covers the cost of their maintenance.

Reformatory influences of industrial training.

Government Prisons largely self-supporting.

The gross cost for maintaining the convict establishments in England during the financial year 1871 was £313,633, and in the same period the earnings of the convicts amounted to £228,244, or £22 19s. 4 $\frac{1}{4}$ d. per head on the average number. The net cost of the prisons after deducting the value of the prisoners' labour amounts only to £85,389, or £8 10s. per head.

Gross cost in 1871.

Net cost in 1871.

The following extract from a paper prepared in 1871 shows sufficiently the practice in this respect in the English Prisons, and the results attained, both those for short sentences, and the Government Prisons where sentences of penal servitude are carried out.

Three objects
of industrial
work in pri-
sons.

“There are three objects to be attained by the employment of prisoners at labour: Firstly, to create a deterrent effect on the prisoner himself, and on the criminal class; Secondly, to produce a reformatory effect on the prisoner himself; and, Thirdly, to recoup, as far as possible, the cost of maintaining the prison.”

There are certain matters I should advert to here, because they materially affect the difficult problems we have to solve.

Large number
of prisoners
naturally un-
able to earn a
livelihood.

1st. A large number of prisoners are persons who are absolutely unable, or find it extremely difficult, through mental or physical incapacity, to earn their livelihood, even under favourable circumstances. Of the 8,362 men now serving out sentences of penal servitude in England, no less than 252 are absolutely lunatic or weak-minded, 308 are subject to bodily infirmities which render them unable to earn a living, and 1,140 are fit only for lighter kinds of labour, making in all 1,700, or

20 per cent. of the whole. Of the women, out of a total of about 1,300, 36 are lunatic or weak-minded, 79 permanently incapacitated from earning a living, and 110 fit only for light labour, making in all 225, or 17 per cent. These people, even if they were out of prison, would still be, in a greater or less degree, a charge on the public; it is hopeless, therefore, to expect them to repay by their labour the cost of their custody and maintenance in prison.

2nd. Prison labour must always be carried on under the disadvantage of being without that stimulus to industry which is afforded by the prospect of immediate benefit as a result of it. In some foreign countries, where great weight is given to the object of making the prisons pay, the prisoners are allowed to draw and to expend a certain portion of their earnings on various small luxuries, such as additional and better food, tobacco, &c., a certain other portion is set aside for them on their discharge, and the Government takes the remainder.

The stimulus of immediate gain to the worker, absent in prison.

In convict prisons in England the system did at one time allow a prisoner to profit more or less directly by his industry, by obtaining more or better food in prison, and a larger sum

Public opinion averse to the award of any such stimulus.

of money on discharge. This gave rise to a great deal of hostile criticism. It was said that prisoners might be better off in regard of food than many an honest poor man, and that this, with the fact of his possessing a sum of money on discharge, which an honest, hard-working labourer would be unable to accumulate, produced a comparison too much in favour of a dishonest instead of an honest career. Public opinion, therefore, demanded that the condition of prisoners throughout their sentence should be that of having only the barest necessities in the way of food, and just sufficient money on discharge to enable them to maintain themselves while seeking employment; and this principle, which I believe to be a correct one, was adopted by a Royal Commission which inquired into the subject of prison management in 1863, and carried out by the direction of the Government.

What advantages we do offer as incentives to industry.

The only stimulus we can afford to a prisoner, therefore, is that of gaining by his industry a remission of some portion of his sentence, of improving his prison class, or that of punishing him if he is idle. Even with only these means we are able, by steady supervision, to obtain very good results, as I shall be able to show. But there are prisoners, chiefly the habitual

class, who actually prefer any punishment which involves a partial relief from labour to the steady industry required on the public works.

3rd. A great deal of opposition is made to the Government, either local or central, entering the market as manufacturers, and competing with free labour. Of course, this is utterly unreasonable, but that does not prevent its having a certain effect. The particular trade which happens to suffer from the competition of prison labour is naturally loud in its outcries, and can always find active advocates; and, on the principle that everybody's business is nobody's business, this agitation is not counter-balanced by a corresponding agitation on behalf of the public, and in aid of those who act in the public interest. The customs of trade societies are also adverse to the action of Government in this way; and I have lately seen that a certain trade society has passed resolutions against being subjected to the competition of prison labour.

Competition with free labour alleged as a reason against industrial employment of prisoners.

It is so obvious as hardly to require stating, that, as persons who are earning a livelihood while free are competing with somebody or other, so it is perfectly reasonable that they should work, and therefore compete equally

Fallacy of this argument.

Limit of
judicious em-
ployment of
prisoners in
manufacture.

after being put in prison. There is, however, some limit to the degree in which prisons should be converted into manufacturing establishments. I doubt whether such employment should be carried on as requires the purchase from public funds of a large and expensive plant and machinery, the value of work done by which would bear a great proportion to the value of the prisoner's labour, because in such a case it is not merely competition against prison labour, but against Government capital. The circumstances of a prison render the profit a secondary transaction, and moreover it cannot be ensured that in a government establishment the profit will always be so narrowly looked after as if it were private property, so that the profit which should be earned by the public money so expended is liable to be neglected or forgotten, and this would enable the goods made to be sold at a cheaper rate, and so to cause undue disadvantage to the free workman. Many of the disadvantages which attend the system of making prisons into manufactories are avoided by performing in them work required by the Government, either central or local; and certainly work of this kind should be preferred to any other.

How deterrent
and reforma-
tory objects
are combined.

I can now continue the main question. The most practical way of carrying out the ideas I

have stated, as to the three aims of prison employment, viz., deterrent, reformatory, pecuniary, is to divide the period of punishment into different stages, during one of which the penal or deterrent object should be considered almost exclusively: during the other, the reformatory and pecuniary may prevail in various degrees.

The most effective system of continuous punishment we can carry out consists of strict isolation, diet reduced down to the barest necessities, deprivation of all the comforts which men of the prisoner-class usually allow themselves, and among these I may mention the comfort to them of being dirty, for many of those who visit our prisons remark on the cells as being so "clean and comfortable," whereas many prisoners if they expressed their ideas on the subject, would call them "clean and uncomfortable." In addition to these is the punishment of hard, dull, useless, uninteresting, monotonous labour.

There is a limit to the time during which a prisoner can be advantageously subjected to these punishments. Labour of the kind I have last-mentioned is decidedly brutalising in its effects. If it is desirable to resort to it for its penal effect, it must not be continued for too

Limit to
strictly Penal
labour.

long a period. To men of any intelligence it is irritating, depressing, and debasing to the mental faculties; to those already of a low type of intelligence, it is too conformable to their state of mind, out of which it is most desirable that they should be raised. The period during which isolation can be strictly carried out is also limited.

When a prisoner's sentence is very short, there is obviously no time to do much in the way of reforming by labour, and the exclusively penal stage will occupy the whole of his time in prison.

Rules for Military prisoners under short sentences.

In some rules lately drawn up by the Directors of Convict Prisons, for military prisoners who are under their management undergoing short sentences, it is provided that during the first month the strictest penal labour shall be enforced, such as crank in solitude, or pumping. After this, more interesting labour is allowed them, always in isolation. It is in this stage that the difficult problem arises of providing suitable employment, which shall fulfil the necessary conditions and yet be remunerative. It is obvious that it must be such as can readily be acquired by unskilled persons, capable of being carried on in isolation, and not too easy, as prisoners should (when capable)

be employed on hard labour. Work which can be performed well by machinery is not likely to pay.

The employments which have been introduced into county and borough prisons are: grinding corn by treadwheel or crank, weaving cocoa-nut mats or carpets, or woollen and linen stuffs; matmaking, sawing firewood, tin work. Flax scutching has lately been recommended by Dr. Briscoe. Ship fender making is profitably followed in the neighbourhood of seaports.

Various employments in County and Borough Prisons.

The following are some of the employments carried on in those Government Prisons in which the prisoners are kept in isolation for a period of nine months; and the average daily value of their labour, ascertained by measuring their work and assigning trade prices to it:—

Employment during the first or separate stage in Government Prisons.

| | Average earnings per day. | Earnings of various trades. |
|---|--|-----------------------------|
| Tailoring | 7 $\frac{3}{4}$ d. to 9 $\frac{3}{4}$ d. | |
| Shoemaking..... | 7 $\frac{1}{2}$ d. ,, 1s. 1d. | |
| Matmaking | 5 $\frac{1}{2}$ d. ,, 6 $\frac{1}{2}$ d. | |
| Weaving | 8d. ,, 11 $\frac{1}{2}$ d. | |
| Knitting | 2d. ,, 2 $\frac{1}{2}$ d. | |
| Oakum-picking, which is carried on mainly for the penal character of the work | 3d. ,, 1 $\frac{1}{2}$ d. | |
| Shoe closing (for women) | 6d. | |
| Needlework | 3d. ,, 5d. | |
| Basket making | 1s. ,, 1s. 6d. | |

Matmaking.

Mat-making is an industry carried on in a very large number of prisons in England, and, in fact, it is so general that I believe the prisons actually compete with one another for custom in this trade.

Prison labour does not pay the cost of the prisons in this stage.

The cost of a prisoner may fairly be taken at £26 per annum, but the actual cost at the county and borough prisons varies from £16 per annum up to £139 in one case. There are many of these prisons in which no earnings made at all, and the most profitable do not earn more than one-fourth or one-fifth of their cost; very few indeed come up to this result, so it is clear that the problem of finding remunerative labour for prisoners in this stage has not been solved.

Employment in regulated associations as in Government Public Worksprisons more likely to pay.

In our government prisons, after the usual nine months' labour in isolation has been passed, prisoners are transferred to other establishments, where they work in association. As the conditions under which they work in this stage more resemble those which prevail outside, it is obvious there is more chance of the work being such as may be useful to them on the conclusion of the sentences, of their being taught useful trades, and of the work being made to pay. Outdoor employment is best in every way, it is healthiest both for

body and mind, and generally requires less skill.

Some years ago, these convicts were employed in jobbing work about the dockyards, they worked in chains, scattered in gangs over the yard, and a great deal of the work was mere brute labour, such as dragging heavy loads, which would have been done far better and cheaper by horses. Such work is neither reformatory nor remunerative. The first improvement on this system was when the convict prison at Portland was opened in 1847, the prisoners being employed in quarrying stone for the construction of the Breakwater,* and in 1850 when Dartmoor Prison was opened, the work for the prisoners being that of reclaiming the moorland and converting it into a farm. It was a bold experiment to depart so far from previous practice as to employ 1,500 prisoners in the open country without any wall to keep them in, or any chains to hamper their movements, but it was completely justified by the result, and there has never, during the whole time, been any difficulty in controlling the prisoners or ensuring their safe custody. Work of this kind fulfils many

Bad system in force many years ago.

hand labour

Great step when Portland Convict Prison was opened in 1847.

* NOTE.—The formal declaration, by the Prince of Wales of the completion of the Breakwater is to take place on the 10th of August, 1872.

of the required conditions, but it cannot be said to pay. The land is of the poorest description, the climate very unfavourable, and much preliminary labour is necessary in draining, and clearing away the rocks. If government determine to utilise the prisoners' labour by farming, it would be better to take good land and make the best of it, instead of bad land in which much of the labour is thrown away.

Great advantages of employing convicts on large Public Works;

both to the prisoners,

and to the country.

The best system ever devised for the employment of convicts is that of executing large public works by means of their labour. It furnishes them a means for acquiring a variety of trades which will be useful to them on their discharge. This is an advantage which is largely made use of, and it is highly appreciated by the prisoners. It is more interesting, and therefore more likely to make the prisoners fall into habits of useful industry than if they were always employed at work which must present in the most repulsive form to their minds. The prisons at which works of this nature are carried on do absolutely perform work to an amount equal to, and sometimes beyond their expenses. Lastly, important works may sometimes be executed by this means, which the public might not be always willing to pay for in money, because while only a comparatively few may quite under-

stand their importance, everybody appreciates and inclines to oppose a proposal to increase debt or taxation.

The earnings of the convicts at Portland, Portsmouth, and Chatham, during the year 1871, amounted to £149,745, exclusive of the value of any work which they performed for the mere carrying on of the prison, such as baking, cooking, washing, repairing clothes, and so on, all of which are of course done by prisoners. The cost of maintaining these prisons in 1871-2 was £131,986, in which sum is included the cost of maintaining those who, from sickness or from being under special punishment or for other reasons, added nothing to the earnings ; and it includes also the cost of conveying the convicts under escort to the prisons, and removing them on expiration of their sentences, and the amount of gratuities paid to them to maintain themselves while seeking employment on discharge. There is a clear balance, therefore, in favour of these prisons of £17,759.

Prisons in which these works are carried on, pay their expenses.

The greatest care is taken that the earnings should be correctly calculated and truly stated. A staff of men is employed, whose business it is to measure the prisoners' work. A schedule of prices for the labour has been formed (not

Great care taken that the value of the work should be truly stated.

by the Convict Department alone, but in conjunction with the Admiralty and War Departments), which correctly represents the amount which would be paid by those departments to a contractor, if they hired from him labourers to do the work which the convicts do. The work is measured and then priced out at the rates given in the schedule, and an abstract, given as fully as possible, is given every year in the Report of the Directors of Convict Prisons.*

Portland
breakwater,

To give some idea of the public works done by convicts since the system was introduced, I may state that, at Portland convict prison, labour has been employed in quarrying the stone for the construction of the Breakwater, a stone dam in the sea, nearly two miles in length, and running into water fifty or sixty feet deep; they have also done the principal part of the works of defence intended to prevent an enemy obtaining possession of the island; (and I may say, *en passant*, that these works are in my opinion impregnable to any attack except blockade and starvation of the garrison—a contingency which is out of the question).

and fortifi-
cation.

Great variety
of mechanics'
work they
afford.

In executing these works, every variety of mechanics' work necessary in building or en-

* NOTE.—In Appendix XV. is given a valuable paper by Captain Percy Smith, R.E., on the relative value of free, convict, and soldier labour.

gineering has been executed by convicts—quarrying, and dressing, and placing the stone, all sorts of carpentry, casting and forging iron-work, and so on. The large and extensive plant have also been made by the convicts, and kept in repair, including the construction of the large cranes and derricks in the quarries, and the laying of the rails for the quarry waggons, to run on their way to the place for delivery of the stone.

The extensive works which have been undertaken of late years at Chatham and Portsmouth for the enlargement of these dockyards have been largely done by convict labour. The prisoners have been employed in excavating basins, and building the sea-wall and the dock-walls, besides a vast quantity of preliminary work, such as demolishing the old fortifications at Portsmouth, and draining St. Mary's Island at Chatham. The bricks used in these works have been made by convicts, to the number of 77,181,545, and the Portland stone for them has been raised and worked by the convicts at Portland prison.

Enlargement
of Chatham
and Ports-
mouth dock-
yards.

Work of a still higher pecuniary value has been done for the Convict Department, in the building of new prison accommodation, which has been rendered necessary by the abolition of

Erection of
Convict
Prisons.

Gain shewn
by the actual
cost of these
buildings
compared
with that of
others erected
by contract.

transportation, prisoners who would have been transported having now to be retained in prisons in England. Within the last few years prison accommodation in cells for 1,889 prisoners has been erected entirely by convict labour, and a number of accessory buildings, quarters for officers, and so on. The actual cost to the Government of these buildings, erected for the Convict Department during the last few years has been £93,000; the same work done by contract would have cost £165,000, showing a clear gain by convict labour of £75,000 in this comparatively small department of their labour. In these works, the bricks have been made by prisoners, stone quarried and dressed, timbers sawn and wrought, and iron cast and forged from the raw state; one thing (but almost the only one,) we have bought ready made, and that is the locks.

Among these works, the largest are—a new prison for 700 women, built entirely by convicts, new wings to the prisons at Chatham and Portsmouth (of which a model is exhibited, showing a new mode of ventilation adopted). At Pentonville an addition of 327 cells has been made under rather peculiar circumstances. The ground space is so restricted that the only way to add to the prison was by raising the

roof and adding a story, and as we were much pressed for room, this had to be done while the prisoners continued to inhabit the prison.

I have said that all the mechanics' work of these buildings is done by convicts. It must not be supposed that we found these mechanics ready to our hands among the prisoners. Out of 2245 prisoners now employed at trades, 1650, or three-fourths, acquired their skill in the prison; and these men will, it is hoped and believed, on their discharge, be less likely to relapse into crime, as they will have full opportunities of pursuing an honest calling. The governors of prisons call attention to the great desire exhibited by the prisoners to acquire knowledge of trades, so many being anxious to learn that it is made a privilege to be obtained only by good conduct. Moreover, it is reported that the cases of misconduct are much fewer among those prisoners employed in trades than among those who are employed jobbing about, although the latter is much the easier work."

Large number
of mechanics
who learnt
their trades in
the prisons.

Return of
Trades.

*The following RETURN shows the extent to which
EMPLOYMENT in TRADES is carried out in the Govern-
ment Prisons, and the variety of MECHANICS' WORK
followed and taught :*

Number of convicts in prison, 21st November, 1870—8,114.

| TRADE | Followed before Reception | Learnt in Prison | Total Employed as Mechanics |
|-----------------------------|---------------------------------|------------------------|--------------------------------------|
| Bakers | 17 | 19 | 36 |
| Basketmakers | 1 | 2 | 3 |
| Blacksmiths | 27 | 25 | 52 |
| Bookbinders | 4 | 11 | 15 |
| Bricklayers | 43 | 222 | 265 |
| Carpenters | 70 | 161 | 231 |
| Chimneysweeps | 1 | 1 | 2 |
| Cooks | 1 | 15 | 16 |
| Coopers | 8 | 3 | 11 |
| Engineers, mechanical | 2 | — | 2 |
| Fitters, Engine | 15 | 6 | 21 |
| Fitters, Gas | 9 | 3 | 12 |
| Gardeners | 1 | 2 | 3 |
| Grinders | 1 | — | 1 |
| Knitters | — | 33 | 33 |
| Locksmiths | 1 | — | 1 |
| Masons | 17 | 162 | 179 |
| Matmakers | — | 36 | 36 |
| Moulders | 8 | — | 8 |
| Painters | 32 | 23 | 55 |
| Plasterers | 3 | 8 | 11 |
| Platelayers | — | 14 | 14 |
| Plumbers | 2 | 1 | 3 |
| Printers | 2 | 4 | 6 |
| Riggers | 19 | — | 19 |
| Sailmakers | 3 | 3 | 6 |
| Sawyers, stone | 5 | 30 | 35 |
| Sawyers, wood | 16 | 46 | 62 |
| Shoemakers | 149 | 348 | 497 |
| Slaters | 13 | 1 | 14 |
| Smiths | 16 | 35 | 51 |
| Stonecutters | 5 | 137 | 142 |
| Strikers | 20 | 4 | 24 |
| Tailors | 72 | 275 | 347 |
| Tinsmiths | 8 | 3 | 11 |
| Turners | — | 1 | 1 |
| Weavers | 2 | 16 | 18 |
| Wheelwrights | 2 | — | 2 |
| TOTALS | 595 | 1,650 | 2,245 |

The greatest desire has been felt, and the greatest pains taken to make the returns of the value of the convicts' labour at all events true, and the result as shown by the earnings are, I think, not unsatisfactory, considering that the men have to be taken as they come, many quite unaccustomed to work, that they have no pay, that the necessities of safe custody tend to a certain loss of time actually at labour, and that as, for the same reason, the men must work in gangs, it occasionally happens that labour must be wasted.

Some comparisons made by Captain Harvey, in 1867, between a gang of 20 free labourers working in Portsmouth Dockyard, and a gang of 20 convicts working near them at the same labour, show very clearly the difference in the material we have to deal with, and the difference in the results.

Comparisons
of conditions
of free labour-
ers and
convicts made
by Captain
Harvey.

The 20 navvies were brought up to that work, and, excepting three hodmen, had never done any other. Only two of the gang of convicts had been navvies before; the rest were stokers, sailors, hawkers, spinners, drivers, coal whippers, &c. The navvies averaged 35 years of age, were 5 feet $7\frac{1}{4}$ inches in height, $36\frac{1}{2}$ inches round chest, and weighed 155 lbs. The convicts averaged $28\frac{1}{2}$ years of

age, 5 feet $5\frac{1}{2}$ inches in height, $34\frac{1}{2}$ inches round chest, and weighed 132 lbs. The gang of navvies drank 413 pints of fluid in a week, a good deal of this was beer, no doubt. The gang of convicts drank 285 pints, nothing stronger than tea or cocoa. The navvies ate 10,808 lbs. solid food; the convicts ate 6,377 lbs. In physique, skill, and diet, the navvies, therefore, are immeasurably superior to the convicts, and, further, from the requirements of regularity and security, the convicts were a shorter time actually at labour. The earnings of the navvies at day-work was 3*s.* 3*d.*, the convicts 1*s.* 11*d.*, or nearly two-thirds of what the navvies earned, and this, I believe, is as much as could be expected. The comparison bears upon another point which has sometimes been raised in connexion with proposals for the useful employment of prisoners, viz. :—whether or not prisoners should be employed at the trades which they have followed before conviction. My own desire is, and our actual practice is, to do so as far as practicable, and excluding the period during which penal labour is enforced. But, practically, it is not possible to carry out the rule at all generally, because many of the occupations followed by prisoners outside are not such as are possible in a prison, such as shopkeepers or servants, hawkers,

Prisoners
employed as
far as practi-
cable at their
own trades.

drivers, miners, &c. and many others would require the provision of tools, special workshops, and so on, which it would not pay to establish without the certainty of providing a continual current of men through the prisons to carry on the trades in question.

Some account ought to be given of the organization of the Department for managing the prisons in England.

Organization
of Convict
Department.

The Secretary of State for the Home Department is the supreme head of all prisons in Great Britain. All regulations are issued under his authority and with his approval, and must, of course, be consistent with the Acts of Parliament.

Secretary of
State the
supreme head.

But with regard to the County and Borough Prisons, the means of enforcing the authority of the Secretary of State are very imperfect. The immediate control of these Establishments is with the local magistrates, and the only manner in which practically the Secretary of State can enforce his authority is by withholding a certain contribution allowed by the Treasury, if any prisons do not fulfil his directions.

Imperfect
control over
County and
Borough
Prisons.

As means of satisfying the Secretary of State as to the condition of these prisons, there are ap-

The Surveyor
General of
Prisons.

Inspectors of Prisons.

pointed, under Acts of Parliament, the Surveyor-General of Prisons, who is his adviser on all questions of prison construction, and the Inspectors of Prisons, whose duty it is to visit and report on the manner in which the Acts and orders relating to prisons are carried out, but who have no authority whatever in the prisons.

Directors of Convict Prisons.

The Government prisons are managed under the Secretary of State, by the Directors of Convict Prisons (who have recently been made also Inspectors of Military Prisons.) They act under the Chairman of the Directors.

Chairman of Directors.

Certain offices united in one person.

The Offices of Surveyor-General of Prisons, (referred to above,) Chairman of the Directors of Convict Prisons, and Inspector-General of Military Prisons—created by different Acts of Parliament—are united in the same person.

Military Prisons under the Inspector-General.

The Military Prisons have recently been placed under the immediate control of the Inspector-General of Military Prisons, so that all Government prisons—both Civil and Military, are now managed in one Department; and as the buildings of the Government prisons are executed under the Surveyor-General, it follows that on the very important question of construction—but on that only—one system prevails throughout all the prisons in England.

The building of all Government Prisons under the Surveyor-General.

One system of construction throughout England.

The whole of the financial affairs of the Government Prisons—the making of Contracts, the duties of Inspection, and those duties of conduct and discipline which require the intervention of higher authority than the Governors in immediate charge of the prisons, are executed by the Directors.

Government
Prisons
administered
by Directors.

It is the duty of the Directors to visit every convict prison periodically. Every prison is inspected monthly—some weekly—to see that the orders given are carried out—that there are no abuses or irregularities—to hear appeals or requests from prisoners, and to act magisterially in trying charges against prisoners.

Monthly and
weekly
inspections.

The necessary funds are voted every year by Parliament, the Directors being responsible for their administration according to instructions received.

Funds voted
yearly by
Parliament.

In the County and Borough Prisons, duties of the nature referred to in the preceding paragraphs are performed by local Magistrates, and the funds are provided by local rates levied under the same authority.

County and
Borough
Prisons admin-
istered by
Local Magis-
tracy.

Each prison has a Governor, and one or two Deputy Governors, a Chaplain, and, when necessary, an Assistant Chaplain, a Roman Catholic Priest when the number of Roman Catholic prisoners is sufficient to require it; a

Staff of each
Prison.

Medical Officer, and in the majority of prisons an Assistant Medical Officer.—[*See Appendix II.*]

Position of
Governor,
Chaplain, and
Medical
Officer.

The Governor is the head of the Establishment, under him are more immediately the discipline staff of warders, &c. The Schoolmasters are more immediately under the Chaplain; and the infirmary staff under the Medical Officer.

Clerk of
Works.

There is also a Clerk of Works, and a staff of permanent officers to instruct the prisoners in their various trades, and to measure the value of the work they execute.

Annual
Reports.

Estimates.

Rules for
Prisons.

Spirit of the
Rules.

More minute details on the staff at any prison are to be found in the Annual Report of the Directors, and in the Parliamentary Estimates laid before the House of Commons, and their detailed instructions will be found in the rules for prisons. It must suffice here to say that the spirit of these instructions is that while it is always to be remembered that the prisoners are sentenced to undergo punishment, the dictates of humanity are to be carefully kept in view; that all the officers are to bear in mind that their duty is to reform as well as to punish, and that the conditions to ensure good health of body are to be attended to carefully.

Inspection of the prisons will shew that these instructions are practically enforced, and statistics prove the efficiency of the organization for this purpose.

The following account of the manner in which appointments and promotions are made in the convict service, (which was drawn up at the request of the Italian Government) may usefully find a place here.

Appointments
and promo-
tions in the
convict service

Appointments and promotions in the Government Prisons are made by authority of the Secretary of State, on the recommendation of the head of the Department of Prisons, except in certain cases, in which, either by law or by the authority of the Secretary of State, the appointments and promotions are made without referring each individual case to him.

At the time when (some years ago) the English Government took seriously in hand the reform of the prison system, their efforts were directed to forming a good staff of officers as a matter of the first consequence, and these appointments have never been considered the subject of political patronage or private interest.

Appointments
and promo-
tions made
solely on the
ground of
fitness.

In County and
Borough
Prisons.

In the County and Borough Prisons, the appointments and promotions are made by the Justices in Session.

The greater number of applicants for the appointments are from men who have left the army, though there is no rule restricting the choice of officers of prisons to them. Their habits of order and discipline, of rendering and enforcing strict obedience, and their aptitude in dealing with large bodies of men, are unquestionably very valuable qualities for the office, and if not possessed by an officer on joining would have to be acquired more or less perfectly afterwards.

Conditions re-
quired of
candidates.

The conditions required of all candidates for an appointment are that they shall be suitable as to character, physique, and intelligence.

Superior
appointments.

For the superior appointments, for which there are candidates enough to enable a high standard to be required, those applicants are preferred who have already filled with credit, situations in which similar qualities are required. Confidential enquiries are made from those who are able and competent to give the necessary information, as to the manner in which a candidate

has performed those duties, and on his general character and disposition in the various points which are of most importance for the position the candidate seeks to fill.

Satisfactory evidence is also required of the probable fitness of candidates for subordinate situations, who are required, on application, to give the information asked for on the forms given in Appendix XIII.

Subordinate
appointments.

All candidates who are nominated to posts in the convict service are obliged, like all other civil servants, to obtain a certificate of qualification from the Civil Service Commissioners, that they fulfil the conditions laid down for each appointment in respect to education, age, &c.

Certificate
of Civil Ser-
vice Commis-
sioners.

Appendix XIII. (A) gives these conditions for entry into the convict service, and Appendix XIII. (B) gives the enquiries which the Civil Service Commissioners make with regard to candidates.

Subordinate (discipline) officers all enter either as Warders or Civil Guards, and having obtained certificates of the Civil Service Commissioners, they are appointed on a probation of three months; if during that period they do not show any aptitude for the

Probation
of officers.

service they are discharged with a week's notice.

Pay and
allowances.

Appendix XIII. (c) gives the salary and allowances of the officers belonging to one of the convict prisons.

Pensions for
former
service in the
army or navy.

Subordinate officers, who are pensioners from the army or navy, draw such pensions in addition to their pay as officers of the convict service. Officers in the higher ranks, with some exceptions, lose such pension, or it remains in abeyance during their service in the convict department.

Officers may
not benefit by
the labor of
prisoners.

Officers in the convict service are not entitled to any advantages or allowances besides the above: they are not allowed to make use of, or derive any benefit from the labour of the prisoners.

Pension of
officers as
civil servants.

Appendix XIII. (d) gives the pensions to which officers in the convict service are entitled, in common with all other civil servants of the crown. The law under which pensions are granted is 22 Vict., cap. 26.

Punishments
officers are
subjected to.

The punishments to which officers are subjected consist in fines, degradation to a lower rank, or dismissal. Certain special offences are also punishable by imprisonment, after

conviction before a proper court, viz.:—
aiding or attempting to aid a prisoner to
escape, and bringing into the prison or taking
out, for prisoners, articles not allowed by the
rules.—[*See Appendix XIII. (E.)*]

The sanitary condition of the English convict prisons is fully reported on in detail every year, and the statistics, with observations by the Medical Officers, will be found in each report of the Directors.

Sanitary
conditions
the Prisons.

A perusal of these reports will show that due means are taken to ensure conditions favourable to health, and that they obtain the desired result.

The following table shows the death rate in the prisons for the last seventeen years, and when it is considered that convicts are, as a class, men of low physical type, born and brought up under conditions unfavourable to health, early given up to vicious courses, and with constitutions in many cases ruined or impaired by excess, it may fairly be said that the statistics of mortality show that prisoners are duly cared for in all that pertains to health, and that in that respect the conditions of their life, their habitation, clothing, and diet, are more favourable than they probably are in a state of freedom.

Death rate.

Death rate.

| Year | Average Number of Male Convicts in each year | Number of Deaths among Male Convicts in each year | Death rate per Thousand of Male Convicts | Mean of each Triennial period |
|------|---|--|---|--|
| 1855 | 6,513 | 100 | 15.4 | } 13.5 |
| 1856 | 6,036 | 93 | 15.4 | |
| 1857 | 6,450 | 64 | 9.9 | |
| 1858 | 6,343 | 104 | 16.4 | } 13.2 |
| 1859 | 6,466 | 71 | 11.0 | |
| 1860 | 6,396 | 79 | 12.3 | |
| 1861 | 6,022 | 68 | 11.3 | } 11.9 |
| 1862 | 5,862 | 54 | 9.2 | |
| 1863 | 5,903 | 90 | 15.2 | |
| 1864 | 6,655 | 88 | 14.5 | } 16.9 |
| 1865 | 5,861 | 109 | 18.6 | |
| 1866 | 5,853 | 103 | 17.6 | |
| 1867 | 6,095 | 90 | 14.7 | } 13.4 |
| 1868 | 6,593 | 79 | 11.9 | |
| 1869 | 7,185 | 99 | 13.7 | |
| 1870 | 7,942 | 100 | 12.6 | |
| 1871 | 8,218 | 110 | 13.4 | |

| Year | Average Number of Female Convicts in each year | Number of Deaths among the Female Convicts | Death per 1000 Female Convicts | Mean Triennial | | |
|------|--|---|--------------------------------------|--|---------------------|--------------------|
| | | | | Daily Average Number of Female Convicts | Number of Deaths | Deaths per 1000 |
| 1855 | 776.9 | 8 | 10.2 | } 836.66 | 12.33 | 14.6 |
| 1856 | 810.8 | 15 | 18.5 | | | |
| 1857 | 922.3 | 14 | 15.1 | | | |
| 1858 | 1,043.4 | 18 | 17.2 | } 1,167.1 | 16. | 13.76 |
| 1859 | 1,188.6 | 11 | 9.2 | | | |
| 1860 | 1,269.3 | 19 | 14.9 | | | |
| 1861 | 1,204.6 | 11 | 9.1 | } 1,239.63 | 13.33 | 10.6 |
| 1862 | 1,211.2 | 8 | 6.6 | | | |
| 1863 | 1,303.1 | 21 | 16.1 | | | |
| 1864 | 1,274.3 | 27 | 21.1 | } 1,179.83 | 20. | 16.9 |
| 1865 | 1,248.2 | 15 | 12.0 | | | |
| 1866 | 1,017. | 18 | 17.6 | | | |
| 1867 | 1,007.7 | 12 | 11.9 | } 1,098.8 | 13. | 11.76 |
| 1868 | 1,104. | 12 | 10.8 | | | |
| 1869 | 1,184.7 | 15 | 12.6 | | | |
| 1870 | 1,190. | 23 | 19.3 | | | |
| 1871 | 1,217. | 23 | 18.9 | | | |

The history of the prisons for many years past has shewn an entire absence of epidemics within them, although virulent diseases, (as has recently been the case with small-pox,) may have prevailed among the free population around them. During the progress of this epidemic through the country, though a few prisoners in some prisons took the disease, its course therein was speedily arrested through the precautions taken by or on the recommendation of the Medical Officers—a fact which must be taken to prove that conditions favourable to the development or propagation of disease do not exist in the prisons.

Entire absence of epidemics even though they might exist in the close vicinity.

In the construction of the prisons the most careful attention is paid to the important questions of drainage and ventilation—questions which it will be more appropriate to enter into when dealing with the subject of prison construction, which I hope to do in a subsequent paper.

Drainage and ventilation very carefully attended to in the construction.

Every prison is provided with an hospital, into which a prisoner is taken as soon as he is unable to carry on the ordinary work of the prison.

Prison hospital.

But the population of the prisons is largely composed of chronic invalids, requiring constant medical care, and incapable of exposure, or employment on public works. For such as

Invalid prisons.

these, special prisons are appointed, the principal one being at Woking, which is constructed in a manner suited to prisoners of this class. The labour exacted of these prisoners is such only as the Medical Officer considers most suitable in each case.

Medical Officers periodical report.

The Medical Officers of all prisons are called upon monthly and quarterly, to make reports, in detail, according to the directions in the forms given in Appendix X.

Cost of Government Prisons in Gross.

The cost of maintaining the Government prisons is detailed every year in the report of the Directors.

The following is a statement of the Gross Cost, and the cost per head for the last eight years: not taking into account the value of labour done:—

| Year | Average Number of Convicts | Gross Expenditure | Gross Annual Cost per prisoner |
|------|----------------------------|-------------------|--------------------------------|
| 1864 | 7418 | £247,227 | £33 6 8 |
| 1865 | 7184 | £235,773 | £32 16 4 |
| 1866 | 6905 | £237,333 | £34 7 4 |
| 1867 | 7255 | £244,067 | £33 12 10 |
| 1868 | 7800 | £257,307 | £32 19 9 |
| 1869 | 8578 | £276,324 | £32 4 3 |
| 1870 | 9557 | £299,796 | £31 7 5 |
| 1871 | 9934 | £313,633 | £31 9 4 |

The nett cost in 1871, after deducting the value of the prisoners' labour, was £8 10s. per head. [It may be well here to explain that the increase in the average number for the last two years is due to two causes,—the accumulation resulting from the abolition of transportation, and the transfer to the care of the Directors of Convict Prisons of between 500 and 600 military prisoners formerly maintained in other establishments.]

Nett cost in 1871.

A discussion intended to improve our means of repressing crime would be very imperfect if it was limited to mere questions of management of prisons, whether they be considered as places of punishment or reformation.

The question of repressing crime reaches far beyond mere prison management.

The object is to *prevent* crime, and our view should first be directed to ascertain the sources from which crime springs—those crimes (that is to say) which society has enacted laws to repress and determined to punish by the means under review.

To prevent crime the first object.

An investigation of this branch of the subject would, I believe, show that all criminals might be classed under one of the following heads :

1. Those who have been brought up without care or education—many from their early

Sources of crime.

years with criminal associates, and under care of parents of the criminal class.

2. Those who are in the way of earning an honest living, but who yield casually to temptation.

3. Those of the same class who deliberately adopt a course of crime, either from a liking for the excitement, or from impatience of the slower gain of an honest life.

4. Those who, from mental or bodily incapacity, find the difficulties of making a livelihood so great that they resort to crime.

5. Those whose passions or evil habits have led to their committing crimes of violence.

One law cannot be applicable to all these classes.

How each
source of
crime must be
closed.

To stop the supply of the first class, the law should, and does to some extent, provide that children who are likely to fall into it should be withdrawn from the custody of their negligent or immoral guardians, and brought up at the public expense. Moreover, the magistrates should not be able to impede the operation of the law.

A sketch of the organizations intended to carry out these objects is given in a supplement.—[*See page 77.*]

For those of 2, 4, and 5, a system of stern deterrent discipline, with inculcation of higher moral principles, is the thing needful.

How each
should be dealt
with.

Class 3 might, I venture to think, after a fair chance was once or twice given them, be locked up invariably for very long periods, as the only way of protecting society against them, and preventing them developing a class of criminals as bad as themselves.

The account which I have given of the English convict system is necessarily brief, but I hope it has been sufficient to indicate the principles on which it is framed.

I shall be satisfied if I should succeed in directing attention to the great mass of experience afforded by the various systems we have tried in the Colonies, and at home, and shall have shown that our lessons have not been lost upon ourselves, but that we may fairly claim to have established a system, not of course incapable of improvements, but which carried out as it is, by a staff of earnest and faithful officers, animated by the single desire of doing their duty, has undeniably produced desirable results.

E. F. DU CANE, *Major R. E.,*
Surveyor-General of Prisons.

Supplement.

*Extracts from a Report by MAJOR DU CANE,
made for one of the Sections of the Exhi-
bition of 1871.*

There are three classes of institutions which, in Great Britain and Ireland, are wholly or partially devoted to the attempt to prevent the development of the criminal classes, by subjecting to industrial training those who might be tempted to join them, or by the same means, to reclaim those who, having joined them, have subjected themselves to the penalties of the law.

Three classes of institutions which offer industrial training to the criminal classes.

These are :—1. Reformatories, Industrial Schools, and Refuges, which are not aided by the State; 2. Certified Reformatories and Industrial Schools; 3. Prisons. *

The first of these are maintained entirely by private efforts, and they work only by persua-

Uncertified reformatories, etc.

* To these should be added the industrial homes attached to prisons such as those connected with the Wakefield House of Correction, where every discharged prisoner, male and female, is received and taken charge of.

Uncertified
reformatories,
etc.

sion, or by consent or desire of the parents and guardians. The number of the institutions, under various names, *not* certified, with their accommodation, is stated in a return by the Secretary of the Reformatory and Refuge Union.

Uncertified Industrial Institutions connected with the Reformatory and Refuge Union (including Penitentiaries.)

| | Boys | Girls | Mixed | Peniten- tiaries | TOTAL | TOTAL ACCOMMODA- TION |
|-----------------------------------|-------|-------|-------|---------------------|-------|-----------------------------|
| LONDON. Number of Institutions | 21 | 17 | 6 | 34 | 78 | |
| " Accommodation | 1,510 | 717 | 930 | 1,092 | .. | 4,249 |
| PROVINCES. Number of Institutions | 4 | 13 | 6 | 40 | 63 | |
| " Accommodation | 482 | 425 | 980 | 1,506 | .. | 3,393 |
| SCOTLAND. Number of Institutions | 1 | 2 | 2 | 3 | 8 | |
| " Accommodation | 50 | 105 | 130 | 200 | .. | 485 |
| IRELAND. Number of Institutions | 2 | 3 | 3 | 8 | 16 | |
| " Accommodation | 110 | 98 | 320 | 260 | .. | 788 |
| TOTAL... { Number of Institutions | 28 | 35 | 17 | 85 | 165 | |
| { Accommodation | 2,152 | 1,345 | 2,360 | 3,058 | .. | 8,915 |

The Certified Reformatory and Industrial Schools are equally carried on under private management, but they undertake certain duties for the State in regard to young people who are, or are likely to become, offenders against the law. They are subject to Government inspection, both as regards the buildings and establishments, and also as regards the rules by which they are governed. They are also assisted by the State, which contributed in the year, 1871—72, to the

Certified
reformatories
and industrial
schools.

| | |
|-------------------------------|---------|
| Reformatories, England | £70,960 |
| Reformatories, Scotland | 18,640 |
| Reformatories, Ireland | 14,070 |

And to the

| | |
|------------------------------------|--------|
| Industrial Schools, England | 70,620 |
| Industrial Schools, Scotland | 39,590 |
| Industrial Schools, Ireland | 29,950 |

£243,830

The Industrial Schools' Act, passed in 1866, provides that a child under 14, who is from certain specified causes apparently likely to develop into a criminal, may be sent to, and forcibly detained in, a certified industrial school; and a child under 12, if charged with a punishable offence, may also be sent to one; moreover, parents or guardians who cannot manage their own refractory children, may

The law as to
certified
reformatories
and industrial
schools.

Certified
reformatories.

also dispose of them in a similar manner by consent of the justices, and the Treasury will contribute 2s. a-week each for their maintenance.

The total number of Certified Reformatories and Industrial Schools in Great Britain and Ireland, and their cost, appears by the Reports of the inspectors for 1869 to have been:—

CERTIFIED REFORMATORIES.

| | ENGLAND | | SCOTLAND | | IRELAND (including Indus- trial Schools) | | TOTAL, GREAT BRITAIN AND IRELAND |
|--|---------|---------|----------|--------|--|--------|--|
| | Boys | Girls | Boys | Girls | Boys | Girls | |
| Number..... | 36 | 15 | 8 | 4 | 4 | 5 | 72 |
| Number of Inmates on Dec. 31, 1869 | 3,534 | 860 | 826 | 260 | Accommodation for 630 205 | | 6,315 |
| Total Cost..... | £75,718 | £19,009 | £18,610 | £4,589 | £14,755 | £3,434 | £136,135 |

* Wandsworth Industrial School is included in this.

CERTIFIED INDUSTRIAL SCHOOLS.

| | ENGLAND | SCOTLAND | TOTAL, GREAT BRITAIN |
|--------------------------------------|----------|----------|-------------------------|
| Number | 58 | 24 | 82 |
| Number of Inmates on Dec. 31, 1869.. | 4,534 | 2,811 | 7,345 |
| Cost..... | £138,407 | | £138,407 |

The Reformatory Schools, carried on under an Act also passed in 1866, are similar in character to the Industrial Schools, but they take an older class of offenders (those under 16 years of age), and such as have actually been convicted of crime rendering them liable to imprisonment or penal servitude.

Altogether 154 certified institutions, containing on 31st Dec., 1869, 13,660 inmates, and costing £274,542 per annum.

To show the increase in these establishments, it may be added that on 31st Dec., 1857, there were in Great Britain in the Certified Reformatories only 2,323 inmates, against 5,480 on 31st Dec., 1869.

There can be no doubt of the extreme usefulness of these institutions, whether maintained by public or wholly by private resources, or of their high influence in checking the growth of crime. Removal from the bad influences by which such children are surrounded, is alone a great step towards the attainment of the desired object. Instruction and training in the arts which enable them to take their place among productive labourers is a further step, and the good work is as far as possible completed by putting them out in a

Value and
influence
of these
institutions.

life in such position as will favour the development and proper utilisation of the training they have received.

What is the chief difficulty in attaining their end.

This last step is, perhaps, the most difficult of all. In this crowded country the struggle for existence is sometimes very keen, and it requires, not only ability to work, but good principle to resist the temptations which sometimes seem to offer an easier manner of attaining the desired end.

Emigration the best solution.

The most perfect solution of this difficulty, and that which gives the best security that the efforts for reclaiming the young offenders will not be thrown away, is the transplanting of them by emigration to other countries where there is less keen competition, and where temptations to crime are less effective because steady industry is sure to find an ample reward, and, in fact, for the most part, *pays* better than a life of crime.

Special reasons for our now favouring this solution.

At the present time, when we have been deprived of the great resource for the disposal of our adult convict prisoners which transportation offered, and are obliged to absorb them on discharge among the community, to encounter again all the difficulties, dangers, and temptations which in so many cases may lead

them back to their former courses, and so to develop a criminal class at compound interest, it may be well to direct some attention to the subject before the evil has taken too deep root.

Special reasons for our now favouring this solution.

The present course of legislation and of public policy is directed principally to the hunting down of the criminal. It would be fair, and also politic, to combine with this, the offer to the incipient criminal of such opportunities as emigration would afford of escaping entirely from the difficulties by which he is likely to be surrounded.

Appendix.

APPENDIX I.

Accommodation in Convict Prisons in Great Britain.—July, 1872.

| PRISONS | | Association | Separate | TOTAL | Punishment | Infirmary | GRAND TOTAL |
|-----------------------------------|-----------------------------|-------------|----------|-------|------------|-----------|-------------|
| Close Prisons. | Millbank | 140 | 792 | 932 | .... | 71 | 1003 |
| | Pentonville ..... | .... | 1000 | 1000 | 4 | 22 | 1026 |
| | Perth and Paisley ..... | .... | 130 | 130 | .... | .... | 130 |
| | Total..... | 140 | 1922 | 2062 | 4 | 93 | 2159 |
| Public Works and Invalid Prisons. | Portland ..... | .... | 1466 | 1466 | 76 | 86 | 1628 |
| | Portsmouth ..... | .... | 1255 | 1255 | 60 | 33 | 1348 |
| | Chatham ..... | .... | 1637 | 1637 | 74 | 85 | 1796 |
| | Total..... | .... | 4358 | 4358 | 210 | 204 | 4772 |
| | Dartmoor..... | 296* | 588 | 884 | 29 | 84 | 997 |
| | Woking (invalids) | 274 | 300 | 574 | 12 | 150 | 736 |
| | Brixton (light labour) .... | .... | 626 | 626 | 15 | 30 | 671 |
| Female. | Parkhurst (invalids) | 54 | 443 | 497 | 15 | 44 | 556 |
| | Total..... | 624 | 1957 | 2581 | 71 | 308 | 2960 |
| | Total—Males | 764 | 8237 | 9001 | 285 | 605 | 9891 |
| | Millbank | 186 | 69 | 255 | 30 | 35 | 320 |
| Female. | Fulham ..... | .... | 276 | 276 | 15 | .... | 291 |
| | Woking ..... | .... | 708 | 708 | 27 | 45 | 780 |
| | Total—Females .. | 186 | 1053 | 1239 | 72 | 80 | 1391 |

*A Separate Cell Prison to replace this will be ready before the end of the year.

[APPENDIX II.]

RETURN of the ESTABLISHMENTS of the different PRISONS in the Year ended 31st March, 1872, made by the CHAIRMAN of the DIRECTORS of CONVICT PRISONS.

| ESTABLISHMENTS | TOTAL | | Pentonville | | Millbank | | Portland | | Portsmouth | | Chatham | | Dartmoor | | Woking | | Parkhurst | | Brixton | | Fulham | | Refuge | | Woking | |
|---|-------|-----|-------------|-----|----------|----|----------|-----|------------|-----|---------|-----|----------|----|--------|----|-----------|----|---------|----|--------|----|--------|----|--------|----|
| | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. | M. | F. |
| Governor, deputy governor, and lady super- intendents | 21 | 3 | 2 | 2 | 2 | — | 3 | — | 3 | 3 | 3 | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | — | — | 1 | — | — | 2 |
| Chaplain and assistant chaplain, Roman ca- tholic priest, and Presbyterian clergymen | 24 | — | 2 | 3 | 3 | — | 3 | — | 3 | 2 | 4 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 2 | — | — | 2 | — | |
| Schoolmasters and scripture readers, and schoolmistresses | 51 | 14 | 6 | 7 | 7 | 5 | 7 | 5 | 7 | 7 | 7 | 7 | 4 | 5 | 4 | 4 | 4 | 4 | 4 | 4 | — | 3 | — | — | 6 | |
| Medical officers, assistant surgeons, and coroner | 19 | — | 2 | 2 | 2 | — | 2 | — | 2 | 2 | 2 | 3 | 3 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | — | — | 1 | — | |
| Clerks | 72 | — | 7 | 10 | 7 | — | 11 | — | 7 | 7 | 9 | 6 | 5 | 5 | 5 | 4 | 3 | — | 4 | 3 | — | — | — | 5 | — | |
| Stewards and manufacturers | 12 | — | 2 | 2 | — | — | 1 | — | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | — | 1 | 1 | — | — | — | 1 | — | — | |
| Chief warders and chief matrons | 9 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | — | 1 | 1 | — | — | 1 | — | — | 1 | |
| Foreman of works and farm and clerks of works | 10 | — | 1 | — | — | — | 2 | — | 2 | 1 | 2 | 1 | 1 | 1 | — | 1 | — | 1 | 1 | 1 | — | — | — | — | — | |
| Principal warders and principal matrons..... | 74 | 22 | 6 | 6 | 6 | 4 | 10 | 4 | 10 | 10 | 11 | 12 | 5 | 7 | 6 | — | 6 | 1 | 6 | — | — | 6 | 1 | — | 12 | |
| Warders, matrons, compounders..... | 275 | 56 | 21 | 36 | 36 | 14 | 44 | 37 | 37 | 47 | 47 | 36 | 36 | 16 | 20 | 17 | 20 | 17 | 1 | 11 | — | 15 | — | — | 31 | |
| Assistant warders and assistant matrons | 573 | 78 | 28 | 60 | 60 | 23 | 108 | 87 | 87 | 113 | 113 | 66 | 66 | 49 | 37 | 25 | 37 | 25 | — | — | — | 15 | — | — | 40 | |
| Cooks, bakers, gatekeepers, porters, watch- men, nurses, and messengers | 116 | 1 | 11 | 5 | 5 | 1 | 15 | 1 | 11 | 15 | 15 | 17 | 7 | 11 | 12 | 5 | — | 7 | 5 | — | — | — | 7 | — | — | |
| Engineers, enginemen, gasmen, stokers, artizans, cutters | 39 | — | 3 | 6 | 6 | — | 5 | — | 1 | 1 | 2 | 4 | 4 | 6 | 4 | 1 | 1 | 1 | 1 | 1 | — | — | 6 | — | — | |
| Labourers, charwomen, dairymen, brick- makers, carters..... | 21 | — | — | 1 | 1 | — | 2 | — | 2 | 2 | 2 | 6 | 2 | 3 | 1 | 1 | 1 | 1 | 1 | 1 | — | — | 1 | — | — | |
| Civil guards | 149 | — | — | — | — | — | 42 | — | 30 | 38 | 38 | 29 | — | 10 | — | — | — | — | — | — | — | — | — | — | — | |
| TOTAL ESTABLISHMENTS | 1465 | 177 | 92 | 141 | 141 | 48 | 256 | 202 | 257 | 190 | 104 | 107 | 77 | 15 | 37 | 24 | 92 | — | — | — | — | — | — | — | — | |

APPENDIX III.

No. 362.

1st February, 1873.

Refuges for Female Convicts.

The following *resume* and revision of the orders and rules which have been issued from time to time, with regard to Refuges for Female Convicts is made for convenience of reference.

The Secretary of State has approved of the selection of a limited number of female convicts, whose conduct and industry has been good in prison, to be sent to refuges which have been established with his sanction.

The Managers of these refuges will, if the conduct of the women in the Refuges is good, interest themselves as far as they can in obtaining situations and employment for them on their discharge.

Female Convicts who qualify themselves by their conduct and industry for the refuges, will be eligible to be sent there nine months before the period at which they would ordinarily be discharged from Prison, and whilst there will be on special conditional licence; so that they will remain in a refuge instead of a Prison for the last nine months of their time.

It should, however, be clearly understood that the exact time of their transfer to a refuge must depend on the vacancies there may be in the refuges—those who have been best conducted throughout their imprisonment having the preference.

They will have an opportunity of earning some addition to the gratuity which they would earn in Prison;—

They will not wear ordinary Prison dress;

The following qualifications are necessary to render a female convict eligible for a refuge:—

She must be in the first class. Women who fail to obtain first class only from being unable to read and write may, on special leave by the Directors, be promoted for the purpose of being eligible for the refuge.

Her conduct and industry must be good.

Her health must be good and she must be physically capable of earning a livelihood.

She must not have more than nine months' time to serve before being due for discharge on license or expiration of sentence.

She must not have been sent to a refuge on discharge from a previous sentence.

She must not have been guilty of violent and insubordinate conduct within six months: if she should have been, she should be degraded to a lower class.

Previous to any convict becoming due to go a refuge, who was convicted for murder or violent assault, or whose crime or character is remarkable or notorious, the attention of the Directors should be specially called to the case, in order that they may address a communication to the Managers of the refuges to ascertain whether they object to her coming to them.

The refuges established with the sanction of the Secretary of State are:—

For Protestants: The Carlisle Memorial Refuge, Battery House, Winchester.

The Westminster Memorial Refuge, Russell House, Streatham.

For Roman Catholics: The Refuge, East End, Finchley.

E. F. DU CANE.

APPENDIX IV.

No. 309.

15th May, 1868.

EXAMINATION OF CONVICTS IN PRISON SCHOOLS.

In order to test and record at periodical examinations, the efficiency of the instruction in Convict Prisons, and the progress made by the learners, every prisoner under instruction will be examined twice a year, and his progress recorded in a book of the pattern herewith, according to the directions given. The Chaplain or Assistant Chaplain will do the duty of Examiner or Inspector of the school. The Chaplain in his annual report will, from the records thus furnished, state the number of prisoners who have made progress in the various degrees.

E. Y. W. HENDERSON.

EXAMINATION BOOK.

No. and Name.....

TABLE I.—*To show Class and Standard of Attainment.*

| Date of Examination | | | | | | | | | | | | | | |
|---------------------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|-------|----------|
| Class and Standard | Class | Standard | Class | Standard | Class | Standard | Class | Standard | Class | Standard | Class | Standard | Class | Standard |
| READING | | | | | | | | | | | | | | |
| WRITING | | | | | | | | | | | | | | |
| ARITHMETIC | | | | | | | | | | | | | | |

N.B.—The Class shown is to be that in which the prisoner was prior to Examination. The Standard is to be that for which the Examination shows him to be qualified. If a new Standard is not attained between two Examinations, it will not be necessary to make an extra entry of the Standard, but merely insert the date of the last Examination in the column for the dates.

TABLE II.—*To show Progress in each Subject.*

| Date of Examination | | | | | | | |
|---------------------|----------|----------|----------|----------|----------|----------|----------|
| PROGRESS | Progress | Progress | Progress | Progress | Progress | Progress | Progress |
| READING | | | | | | | |
| WRITING | | | | | | | |
| ARITHMETIC | | | | | | | |

Write G.P. for Great Progress.—P. for Progress.—S. for Stationary.—B. for Gone Back.

TABLE III.—*To shew the qualification for the Six Standards.*

| | Standard I. | Standard II. | Standard III. | Standard IV. | Standard V. | Standard VI. |
|--------------|---|---|--|---|---|--|
| READING . . | Narrative in monosyllables. | One of the narratives next in order after monosyllables in an elementary reading book used in the School. | A short paragraph from an elementary reading book used in the School. | A short paragraph from a more advanced reading book used in the School. | A few lines of poetry from a reading book used in the First Class of the School. | A short ordinary paragraph in some ordinary narrative. |
| WRITING . . | Form on black board or slate, from dictation, letters capital and small, manuscript. | Copy in manuscript character a line of print. | A sentence from the same paragraph slowly read once and then dictated in single words. | A sentence slowly dictated once by a few words at a time from the same book, but not from the paragraph read. | A sentence slowly dictated once by a few words at a time from a reading book used in the First Class of the School. | Another short ordinary paragraph in some ordinary narrative, slowly dictated by a few words at a time. |
| ARITHMETIC . | Form on black board or slate, from dictation, figures as up to 20, name at sight figures up to 20, add and subtract figures up to 10; orally, from examples on black board. | A sum in Simple Addition or Subtraction the Multiplication Table. | A sum in any simple rule as far as Short Division (inclusive). | A sum in compound rules. (Money). | A sum in compound rules. (Common Weights and Measures). | A sum in Practice or Bills of Parcels. |

DIRECTIONS FOR THE USE OF THIS BOOK.

1.—An Examination Book will be given to every Prisoner under instruction. It is to be kept by the Schoolmaster, and to be issued to the Prisoner at all Examinations.

Immediately on the Prisoner joining the School, he is to be examined and his work is to be entered in this Book. If at this, or at any succeeding Examinations

the Prisoner is unable to use the Book, the Schoolmaster will write a statement to that effect on each occasion, specifying the date and affixing his signature. In case of the transfer of a Prisoner, his Examination Book will be sent with him.

2.—The following work is to be done, in this book, at each Examination:

- (a) Exercises in Writing, in large, round, or small hand ; not less than two lines
- (b) An Exercise in Dictation, about fifty words.
- (c) Exercises in Arithmetic, in the Standard to which the Prisoner has attained two or three examples in each rule belonging to that Standard, and, if thought fit, some examples in the Rules belonging to the previous Standards.

3.—At the commencement of every Examination, the Prisoner will write, on the page on which he is about to enter his work, his Name and Number, the name of the Station, and the Date.

4.—The Chaplain or Assistant Chaplain will write one of the numbers I., II., III., IV., V., or VI., on each Exercise in Reading, Writing, or set of Exercises in Reading, Writing, or set of Exercises in Arithmetic, that fairly comes under the Standard of attainment denoted thereby.

5.—In completing the tables on the cover of this Book, the Pupil is to be classed as having made progress, if he was not able to use a book at the last Examination but can do so now.

6.—The Standards will be those in use by the Committee of Council of Education.

APPENDIX V.

No. 120.

17th February, 1864.

I BEG to transmit copies of a table of the new dietaries for male and female convicts, approved by Secretary Sir GEORGE GREY, which are to come into use on and after the 15th of April next.

For Male Convicts at Industrial Employment.

BREAKFAST.

| | |
|--|---|
| $\frac{3}{4}$ pint cocoa, containing | $\left\{ \begin{array}{l} \frac{1}{2} \text{ oz. of cocoa} \\ 2 \text{ oz. milk} \\ \frac{1}{2} \text{ oz. molasses} \end{array} \right.$ |
| | Bread. |

DINNER.

| | | | |
|-----------------|--------------------------------|---|--|
| Sunday | 4 oz. cheese | { | Bread |
| Monday | 4 oz. mutton.. | { | With its own liquor flavoured with $\frac{1}{2}$ oz. onions, and thickened with bread left on previous day |
| | 1 lb. potatoes; *bread. | | |
| Tuesday..... | 1 pint soup, containing.. | { | 8 oz. shin of beef 1 oz. pearl barley 3 oz. fresh vegetables, including onions |
| | 1 lb. potatoes;* bread. | | |
| Wednesday | 4 oz. mutton.. | { | With its own liquor, flavoured and thickened as above |
| | 1 lb. potatoes;* bread. | | |
| Thursday.. | 1 lb. suet pudding, containing | { | $1\frac{1}{2}$ oz. suet 8 oz. flour $6\frac{1}{2}$ oz. water |
| | 1 lb. potatoes; bread. | | |
| Friday | 4 oz. beef.. | { | With its own liquor, flavoured and thickened as above |
| | 1 lb. potatoes;* bread. | | |
| Saturday | 4 oz. beef.. | { | With its own liquor, flavoured and thickened as above |

SUPPER.

| | | | |
|-------------------|--------------|---|---|
| 1 pint gruel..... | containing.. | { | 2 oz. oatmeal $\frac{1}{2}$ oz. molasses 2 oz. milk |
| | | | Bread. |

| | |
|-----------------------|---------|
| BREAD per week..... | 148 oz. |
| „ each week day | 20 „ |
| „ each Sunday | 28 „ |

—o—

Penal Class Diet.—Males.

BREAKFAST.

| | | | |
|-----------------------|--------------|---|--|
| 1 pint porridge | containing.. | { | 4 oz. oatmeal $\frac{1}{2}$ pint milk Bread. |
|-----------------------|--------------|---|--|

* $\frac{1}{8}$ oz. of flour each, and $\frac{3}{4}$ oz. of pepper per cent. to be added to Millbank and Pentonville Diet.

DINNER.

1 lb. potatoes; bread.

SUPPER.

1 pint porridge, as at breakfast; bread.

BREAD per week.....140 oz.

,, day 20 ,,

—o—

Punishment Diet.—Males.

1 lb. bread per diem, with water.

Penal Class Diet every fourth day when the diet is continued beyond three days.

—————

DIETARIES FOR CONVICTS AT PUBLIC WORKS.

Also DARTMOOR and WOKING.

—o—

For Convicts at Hard Labour.

BREAKFAST.

* 1 pint gruel.....containing.. $\left\{ \begin{array}{l} 2 \text{ oz. oatmeal} \\ \frac{1}{2} \text{ oz. molasses, or salt, varied with ground} \\ \text{ginger or pimento} \end{array} \right.$

Bread (see below.)

DINNER.

Sunday $\left\{ \begin{array}{l} 4 \text{ oz. cheese} \\ \text{bread.} \end{array} \right.$

Monday and Saturday 5 oz. beef $\left\{ \begin{array}{l} \text{With its own liquor, flavoured with } \frac{1}{2} \text{ oz.} \\ \text{onions, and thickened with } \frac{1}{8} \text{ oz. flour,} \\ \text{and bread and potatoes left on previous} \\ \text{days, and } \frac{3}{4} \text{ oz. pepper per cent.} \end{array} \right.$

1 lb. potatoes; bread.

Tuesday and Friday $\left\{ \begin{array}{l} \dots 1 \text{ pint soup,} \\ \text{containing} \end{array} \right. \dots \left\{ \begin{array}{l} 8 \text{ oz. shin of beef} \\ 1 \text{ oz. pearl barley} \\ 2 \text{ oz. fresh vegetables} \\ 1 \text{ oz. onions} \\ \frac{1}{8} \text{ oz. flour} \end{array} \right.$

1 lb. potatoes; bread.

* Prisoners in the 1st and 2nd Classes may have tea and 2 oz. of additional bread in lieu of gruel.—16th December, 1864.

| | | |
|-----------------|--------------------------------|--|
| Wednesday | 5 oz. mutton.. | { With its own liquor, flavoured and thickened as above |
| | | 1 lb. potatoes; bread. |
| Thursday.. | 1 lb. suet pudding, containing | { $1\frac{1}{2}$ oz. suet 8 oz. flour $6\frac{1}{2}$ oz. water |
| | | 1 lb. potatoes; bread. |

SUPPER.

| | | |
|-------------------------------|--------------|---|
| $\frac{3}{4}$ pint cocoa..... | containing.. | { $\frac{1}{2}$ oz. cocoa 2 oz. milk $\frac{1}{2}$ oz. molasses |
| | | Bread (see below.) |

| | |
|-----------------------|---------|
| BREAD per week | 168 oz. |
| „ each week day | 23 „ |
| „ each Sunday | 30 „ |

—o—

For Convicts at Light Labour.

BREAKFAST.

| | | |
|---------------------|--------------|---|
| * 1 pint gruel..... | containing.. | { 2 oz. oatmeal $\frac{1}{2}$ oz. molasses |
| | | Bread (see below.) |

DINNER.

| | | |
|--------------------------|---|---|
| Sunday | { | 4 oz. cheese bread |
| Monday and Saturday..... | { | 4 oz. beef.. |
| | | With its own liquor, flavoured with $\frac{1}{2}$ oz. onions, and thickened with $\frac{1}{8}$ oz. flour. and any bread and potatoes left on the previous days, and $\frac{3}{4}$ oz. pepper per cent |
| | | 1 lb. potatoes; bread. |
| Tuesday and Friday { | { | ..1 pint soup,.. containing |
| | | 6 oz. shin of beef 1 oz. pearl barley 2 oz. fresh vegetables 1 oz. onions $\frac{1}{8}$ oz. flour |
| | | 1 lb. potatoes; bread. |

* Prisoners in the 1st and 2nd Classes may have tea and 2 oz. of additional bread in lieu of gruel.—16th December, 1864.

Wednesday 4 oz. mutton.. { With its own liquor, flavoured and
thickened as above

1 lb. potatoes; bread.

Thursday.. $\frac{1}{2}$ lb. suet pudding, containing { $\frac{3}{4}$ oz. suet
4 oz. flour
 $3\frac{1}{4}$ oz. water

1 lb. potatoes; bread.

SUPPER.

$\frac{3}{4}$ pint cocoa.....containing.. { $\frac{1}{2}$ oz. cocoa
2 oz. milk
 $\frac{1}{2}$ oz. molasses

Bread (see below).

BREAD per week 145 oz.
,, each week-day 20 ,,
,, each Sunday 25 ,,

MILLBANK, WOKING, AND FULHAM.

Ordinary Diet.—Females.

BREAKFAST.

$\frac{3}{4}$ pint cocoa.....containing.. { $\frac{1}{2}$ oz. cocoa
2 oz. milk
 $\frac{1}{2}$ oz. molasses

Bread.

DINNER.

Sunday { 3 oz. cheese
bread


Monday 3 oz. mutton.. { With its own liquor, flavoured with
 $\frac{1}{2}$ oz. onions, and thickened with
bread left on previous day, and $\frac{1}{4}$ oz.
flour and $\frac{3}{4}$ oz. pepper per 100 rations

$\frac{3}{4}$ lb. potatoes; bread.

| | | |
|-------------------------------|---------------------------|--|
| Tuesday | 1 pint soup, containing.. | { 8 oz. shin of beef 1 oz. pearl barley 3 oz. fresh vegetables, including onions |
| | | $\frac{3}{4}$ lb. potatoes; bread. |
| Wednesday | 3 oz. mutton.. | { With its own liquor, flavoured and thickened as above |
| | | $\frac{3}{4}$ lb. potatoes; bread. |
| Thursday .. $\frac{3}{4}$ lb. | suet pudding, containing | { 1 oz. 2 drs. suet 6 oz. flour 4 oz. 14 drs. water |
| | | $\frac{3}{4}$ lb. potatoes; bread. |
| Friday | 3 oz. beef.. | { With its own liquor, flavoured and thickened as above |
| | | $\frac{3}{4}$ lb. potatoes; bread. |
| Saturday | 3 oz. beef.. | { With its own liquor, flavoured with $\frac{1}{2}$ oz. onions and thickened as above |
| | | $\frac{3}{4}$ lb. potatoes; bread. |

SUPPER.

| | | |
|-----------------------|--------------|---|
| 1 pint gruel. | containing.. | { 2 oz. oatmeal $\frac{1}{2}$ oz. molasses 2 oz. milk |
| | | Bread. |

 *Women employed in washing or other exceptionally hard work, to receive daily an extra allowance of 3 oz. bread and 1 oz. cheese, as an intermediate meal between breakfast and dinner, and 4 oz. of meat four times a week instead of 3 oz.*

Tea, with $\frac{1}{2}$ oz. molasses, 2 oz. milk, and 2 oz. of bread, may be issued to women in the 1st class every night, and to women in the second class on alternate nights, instead of gruel. 9th January, 1865. Brixton and Parkhurst.

| | |
|---------------------------|---------|
| BREAD per week. | 118 oz. |
| „ each week day | 16 „ |
| „ each Sunday | 22 „ |



Penal Class Diet.—Females.

BREAKFAST.

1 pint porridge, containing 4 oz. oatmeal, $\frac{1}{2}$ pint milk; bread.

DINNER.

1 lb. potatoes; bread.

SUPPER.

1 pint porridge as at breakfast; bread.

BREAD per week.....112 oz.

,, per day 16 ,,

*Punishment Diet.—Females.*

1 lb. bread per diem, with water.

Penal Class Diet every fourth day, when the diet is continued beyond three days.


F U L H A M .



BREAKFAST.

Cocoa, 1 pint, made with $\frac{1}{2}$ oz. cocoa nibs, $\frac{1}{2}$ oz. sugar, 2 oz. milk; 6 oz. bread.

ORDINARY DINNERS.

Sunday Cold baked mutton, 5 oz. cooked meat, 4 oz. bread, and $\frac{1}{2}$ lb. potatoesMonday Baked mutton, 5 oz. cooked meat, 4 oz. bread, and $\frac{1}{2}$ lb. potatoesTuesday { Boiled beef as in ordinary diet, 5 oz. of cooked meat, 4 oz. bread,
and $\frac{1}{2}$ lb. potatoesWednesday.. { Beef pudding, to contain 4 oz. meat when cooked, the paste to be
made of 4 oz. flour, with 1 oz. of suet; or the same quantity in
Irish stew, with 1 oz. and $\frac{1}{2}$ lb. potatoesThursday ... Boiled mutton, 4 oz. cooked meat, 4 oz. bread. and $\frac{1}{2}$ lb. hot potatoesFriday..... { Beef pie, the pie to contain 4 oz. cooked meat, and the paste to be
made of 4 oz. flour, and 1 oz. dripping, suet, or lardSaturday.... { Soup, 1 pint, made with 3 oz. cooked beef, 3 oz. potatoes, 1 oz.
barley, 1 oz. onions; $\frac{1}{2}$ lb. potatoes, and 6 oz. bread. *Women employed in the wash-house, and at other hard labour, to have 1 oz. of meat in addition, and 1 pint of broth on each day, excepting Sunday and Wednesday, $\frac{1}{2}$ lb. potatoes.**Women so employed to have $1\frac{1}{2}$ oz. cheese at such time as may be convenient, every day except Sunday, and then 1 oz. cheese.*

TEA.

1 pint of tea (made with $\frac{1}{6}$ oz. tea, $\frac{3}{4}$ oz. sugar, $2\frac{1}{2}$ oz. milk) and 8 oz. bread.

APPENDIX VI.

No. 145.

22nd July, 1864.

System of Classification to be adopted for all Convicts received into the Public Works Prisons on and after 12th July, 1864.

1.—All stages and classes, as now existing, to be prospectively abolished for all convicts hereafter received into Public Works Prisons.

2.—A convict, during the term of his imprisonment will be required to pass through the following classes, viz. :—

- | | |
|---|---|
| Probation class, one year, during which they must earn on public works 720 marks. | } Minimum period, with good conduct and industry. |
| Third class, one year, during which they must earn on public works, 2,920 marks | |
| Second class, one year, during which they must earn 2,920 marks. | |

After which they will be eligible for promotion to the first class.

3.—Every convict is thus required to remain in the probation class for a minimum period of one year, reckoned from the date of conviction, of which nine months will be passed in separate confinement.

4.—If his conduct and industry are good, he will then be promoted to the 3rd class, and so on to the 2nd, remaining in each a minimum period of one year.

5.—Prisoners detained in separate confinement for misconduct cannot be promoted to the 3rd class, until three months after they have become eligible for removal to public works.

6.—The remainder of the term of his imprisonment will be spent in the 1st class, unless he is promoted to the special class, or degraded to any lower class.

7.—These classes will be kept quite separate from each other in the prisons.

8.—Convicts in the probation class will be subjected, while undergoing separate confinement, to the special rules and regulations approved of for the separate prisons. On removal to public works, they will continue in the probation class until they have completed twelve months, reckoning from the date of conviction with good conduct.

Prisoners in the probation class will wear the ordinary convict dress without facings.

9.—Prisoners in this class on the public works will be allowed no gratuity, nor to receive visits, nor to receive or write letters, except one letter on reception from separate confinement; they will be allowed one period of exercise on Sunday.

10.—If their conduct and industry are either bad or indifferent, either in separate confinement or after their removal to public works, they will be detained in the probation class until they have earned an additional number of marks to that allotted to the period to be passed in probation.

11.—Prisoners in the 3rd class will wear the ordinary convict dress with black facings.

They will be allowed,—

1st.—To receive a gratuity of 12s., being at the rate of 1s. per month for 12 months, to be earned by marks during the time spent in this class, and if their conduct shews that they deserve it.

2nd.—To receive a visit of 20 minutes' duration, once in six months, at such time as the Governor approves, care being taken that the stipulated number is not exceeded; and both to receive and write a letter once in six months, provided their conduct *in that class* has been good for at least two previous consecutive months.

3rd.—They will be allowed one period of exercise during Sundays.

12.—Prisoners in the 2nd class will wear the ordinary convict dress with yellow facings.

They will be allowed,—

1st.—To receive a visit of 20 minutes' duration, and both to receive and write a letter once in four months.

2nd.—To receive a gratuity of 18s., calculated at 1s. 6d. per month for twelve months, to be earned by marks during the time spent in this class, and if their conduct shews that they deserve it.

3rd.—To be allowed choice of tea and 2 oz. of additional bread instead of gruel.

4th.—To have two periods of exercise during Sundays.

13.—Prisoners in the 1st class will wear the ordinary convict dress with blue facings.

They will be allowed,—

1st.—To receive a visit of half-an-hour, and both to receive and write a letter once in three months.

2nd.—Prisoners in this class will be allowed a gratuity of 30s., being at the rate of 2s. 6d. per month for twelve months, to be earned by marks until they have earned £3 altogether.

3rd.—To be eligible, if their conduct and industry are good, and if special circumstances should render it desirable, to be recommended on discharge for a further gratuity not exceeding £3.

4th.—To be allowed the choice of tea and 2 oz. of additional bread instead of gruel, and baked instead of boiled meat.

5th.—To be allowed three periods of exercise on Sundays.

No convict is to be promoted to the 1st class until he can read and write, except in special cases, which must be reported to the Director.

14. Prisoners in the special class will wear a blue dress. They will be eligible to be recommended for an extra remission not exceeding one week.

15. All prisoners on public works will wear a badge on the sleeve, which will shew the register number and sentence of the prisoner; they will be of the same colour as the facings, except those of the probation class, which will be of the same colour as the clothing.

For practical purposes in calculating the gratuities, the following scale may be adopted :

| | | | |
|------------------|----------|--------------|---------------|
| In the 3rd class | 20 marks | are equal to | 1 <i>d</i> . |
| In the 2nd | „ | „ | 1½ <i>d</i> . |
| In the 1st | „ | „ | 2½ <i>d</i> . |

Convicts sentenced to cross-irons or to wear the parti-colored dress, while under such punishment, to be placed in the probation class; after which they will return to their original class, unless the sentence specifies to the contrary.

Convicts returned to public works from second probation in separate confinement will go through the classes in the same way as convicts first received from separate confinement.

APPENDIX VII.

Penal Class Rules.

1.—Penal Class prisoners will be confined in special cells, where strict silence is observed.

2.—They will take exercise for about an hour a day, separately, in the presence of an officer.

3.—They will be employed at such hard labour as may be ordered, in picking a regulated weight of oakum or coir, without instruments, or in some such occupation.

4.—They will be restricted to a special diet for three months at least.

5.—They will not be allowed to receive visits or letters, or to write letters.

6.—They will be subject to the ordinary prison punishment for ordinary offences.

7.—If specially recommended by the Governor, on account of good conduct at the end of three months, they will receive the ordinary prison diet.

8.—If again specially recommended by the Governor, at the end of three additional months, they will return to the ordinary cells.

9.—They will be credited with marks at the rate of six per diem.

10.—They should be examined by the Medical Officer before placing them on punishment diet.

11.—A special list of library books will be kept for the use of prisoners in the penal class, which will be approved by the Directors.

APPENDIX VIII.

No. 222.

24th March, 1865.

It is in contemplation to transfer from the public works prisons to the close prisons, for the last three or six months of their sentences, such prisoners as by their continuous bad conduct on public works have shown themselves to have failed to profit by the discipline to which they have been subjected, and to send in their places prisoners who have been in the close prisons more than nine months.

You are therefore requested to send to this office, now and from time to time, the particulars of men due for discharge in about three or six months, who you recommend to be so transferred, including particularly men whose licenses have been revoked, men repeatedly re-convicted, and men who have forfeited all, or nearly all, of their remissions, and have persevered in a continuous course of misconduct.

APPENDIX IX.

No. 325.

Means of Restraint for Male and Female Convicts.

The following orders respecting the use of the various means which have been from time to time authorised by the Secretary of State for restraining Male and Female Convicts in cases of necessity are published with a view of securing uniformity of practice in the different prisons and due responsibility in the employment of the means of restraint referred to.

Articles authorised to be used for Male Convicts, and of which sealed patterns are to be retained in each Prison.

1. *Handcuffs*.—Figure of eight, swivel or curb chain, not to exceed, for the pair, twenty-two ounces avoirdupois in weight.

2. *Leg Chains or Cross Irons* of forty-two inches in length, fastened at each end to an iron ring, large enough to admit of the rings being firmly rivetted round each ankle, not to be less altogether than $4\frac{1}{2}$ lbs. nor to exceed 6lbs. in weight avoirdupois.

3. *Body Belt*, of double leather sewn together, fastened by a lock round the waist, with steel wristlets at equal distances at the sides to lock the wrists therein, altogether not to exceed 4lbs. avoirdupois in weight.

4. *Canvas dress*, made of No. 1 Navy Canvas, for Convicts destroying their clothing, not to exceed 12lbs. avoirdupois in weight.

INSTRUCTIONS FOR USE OF THE ARTICLES ABOVE DETAILED.

The handcuffs, leg irons, and body belt, are to be used only when necessary as a measure of restraint, and not as a punishment.

Whenever it is found necessary to place the handcuffs on a prisoner (for any reason except for temporary use when such additional security may be usual), an order is to be given on the Form 364b, specifying the date and hour when they are to be put on, and whether they are to be placed with the hands in front of the body or behind the back. The Officer carrying out the order will state in the proper place on the form how the order was carried out, and the date and hour of removal or change of position of the handcuffs.

If handcuffs are placed behind the back, they are to be removed to the front at meal times and bed times, and replaced after meals and on getting up.

Should this means of restraint be used upon the recommendation of the Medical Officer, it is to be so stated on the order, and that Officer will state his concurrence as to the mode and time of restraint being in accordance with his opinion of the necessity of the case.

The Governor will enter in his Journal any case of a prisoner being placed under restraint, with the day and hour of that restraint being put on and taken off or changed in manner of application. A prisoner is not to be kept in irons by the Governor for a longer period than 72 hours, without the written order of a Director, specifying the cause thereof and the time during which the prisoner is to be kept in irons, and whether irons or handcuffs are to be placed in front or behind, which order shall be preserved by the Governor as his warrant.

Governors are empowered to use light steel connecting chains, for securing convicts in cases of emergency, under such regulations, limitations and restrictions, as allowed in use of ordinary irons.

Leg Chains or Cross Irons are to be used only by order of a Director, and not to be kept on continuously for more than six months. They will be put on only in cases of attempt to escape or assault.

The Body Belt to be used for restraining Invalid Convicts guilty of violent conduct, but who cannot be subjected to the ordinary punishment inflicted on men in

sound health. It is not to be continued for a longer period than may be necessary for the prisoner's own safety or that of others, and in all cases to be used only with the concurrence of the Medical Officer.

The use of the Body Belt will be entered in the Governor's Journal, as in the case of Irons, and also in that of the Medical Officer.

The return of the cases in which the Body belt is used to be, as heretofore, submitted quarterly for information of the Secretary of State on the usual form.

The Canvas Dress will be worn by order of the Director by Convicts who destroy their clothing. The date of commencing and ceasing to wear it being duly entered in the Governor's Journal.

For Female Convicts the handcuffs and canvas dress will be similar in description to those authorised for Males, a separate sealed pattern will be provided. They will be used under the same restrictions as apply to Males, by order of the Governor (when there is one), or in other cases by the Lady Superintendent.

Female Convicts whose peculiar form of violence requires that the legs shall be restrained, may have ankle straps placed on them of the following description, viz.:

Ankle Straps, padded, of leather, to be locked round each ankle, connected with an iron ring, and with a long strap locked to a leather waist belt, locked round the waist over a loose jacket, weight altogether 1 lb. 12 oz. avoirdupois.

They are to be used by Medical Authority only, as a measure of restraint for Female Convicts, who, in his opinion, might seriously injure themselves if not restrained by these means, to be discontinued by the Medical Officer as soon as he is satisfied the prisoner will not injure herself, by being released from such restraint. Its use is to be duly recorded, both by the Governor or Lady Superintendent, and by the Medical Officer, in their respective Journals, and also by the Matron in charge of the punishment cells, giving date and hour of commencing, and date and hour of ceasing to be used.

Medical cases under treatment in the Infirmary are only to be restrained by the ordinary canvas strait jacket, upon the sole authority and discretion of the Medical Officer; the length of time in use in each case being duly recorded in his Journal.

E. F. DU CANE.

FORM OF ORDER.

No. 364D.

Date.....

Prisoner No.....to be restrained by the

* Describe the Irons. in*.....wrists § from this
hour.‡ Insert whether in front
of body or behind back.They are in any case to
be placed in front during
meals and bed time.

To.....

To the Chief Warder and Principal
Warder in charge of Separate and
Penal Class Cells.

Signature,

Governor.

Irons, as above ordered, placed on Prisoner.....
 at.....Removed at.....M. the.....
 day of.....18....

.....Warder in charge
 of.....

APPENDIX X.

Regulations—Mark System.

No. 146.

1. The time which every convict, under sentence of penal servitude, must henceforth pass in prison will be represented by a certain number of marks, which he must earn by actual labour performed before he can be discharged.

2. No remission will be granted for conduct. It is only on condition of good conduct and strict obedience that convicts are allowed to earn by their industry a remission of a portion of their sentences.

3. If, therefore, their conduct is indifferent, or bad, they will be liable to be fined a certain number of marks, according to the nature and degree of the offence, and will thus forfeit by misconduct the remission they may have gained by their industry.

4. The scale of marks is,—

8 marks per diem for steady hard labour, and the full performance of
 their allotted task.

7 " " a less degree of industry.

6 " " a fair but moderate day's work.

5. No remission is granted for the period passed in separate confinement, which is fixed at nine months; a convict's marks are therefore to be calculated at the rate of six per diem, as commencing nine months from the date of conviction; and any forfeiture of time incurred in separate confinement, is to be added to his marks at the rate of six for every day forfeited; but if he is detained through no fault of his own in a separate prison above nine months from date of sentence he will be credited with eight marks per diem for the days he is so detained.

6. If by his industry on public works the convict gains eight marks per diem, and does not forfeit any for misconduct, he earns the full remission of one-fourth allowed by the Secretary of State.

7. When a convict is sentenced to forfeiture of time, a number of marks equal to the number of days forfeited multiplied by six is to be added to the whole number of marks he has to earn; as he can by his industry earn eight, he may thereby gain a remission of one-fourth of such forfeiture.

8. When a convict is sentenced to be degraded for a certain time to a lower class, he must remain therein until he has earned the full number of marks for that time, viz., the whole number of days multiplied by eight; such number of marks is not, however, to be added to the original number he has to earn for remission, but it represents the number of marks he must earn before he can return to his original class, unless the sentence specifies to the contrary.

Convicts in the light labour class to be credited only with six or seven marks according to their character and industry, unless specially otherwise ordered by the Director.

Convicts sentenced to separate confinement, or penal class, or while undergoing second probation, to be credited only with six marks per diem during that period.

Convicts in hospital to be credited only with six marks per diem, which may be increased by special recommendation of the Governor to the Director.

The record of marks to be kept by the infirmary principal warder, and submitted to the medical officer, who will make such recommendation as he sees fit to the Governor.

9. On Sunday marks must be allotted for conduct alone on that day.

10. Any prisoner reported for idleness or misconduct at school will be liable, in addition to any other punishment, to be fined a number of marks proportionate to his offence.

11. Convicts, who by their inattention, do not profit by the instruction given them, and are found unable to read and write on emerging from the third class, will forfeit their gratuity, which cannot be restored to them until they can do so.

The power of the Governor to fine convicts for remission is limited to the equivalent in marks of their present power of forfeiture of time, viz., from one to fourteen days, the equivalent being from 6 to 84 marks: and his power as to degradation of class is limited to three months, represented by 720 marks, which must be earned before the convict can regain his class, but which are not to be added to the total amount he has to earn for remission.

Re-convicted men will be placed in the same scale of remissions as other convicts, and if their conduct is meritorious their cases will be submitted for favourable consideration at the same period as other convicts; but they will be more severely dealt with than other convicts if they misconduct themselves. [A subsequent order deprives convicts re-convicted a third time under certain conditions of the privilege of gaining a licence.]

Convicts who by their misconduct forfeit the whole of their remission, will be liable to be kept in separate confinement during the last six months of their sentence.

APPENDIX XI.

No. 335.

10th January, 1871.

Awarding and Recording the Marks gained by Convicts.

1. The attention of Governors and Lady Superintendents is directed to the importance of paying constant attention to the details of the working of the system of marks, in order to ensure care in awarding and recording the marks gained by Convicts, and a proper check on the correctness of the entries of marks gained or forfeited.

2. No officer should be appointed to take charge of a party until the Governor is satisfied that he understands thoroughly the principle on which marks should be awarded, and shows he would be likely to carry out the system fairly and efficiently. The Governor should frequently satisfy himself that the officers continue to know and to perform their duty in this respect.

3. The Deputy Governors shall take every means of seeing that the warders in charge of parties award the marks fairly, and should during their daily rounds on the works, examine and initial the books of a certain number of parties every day, so that the fairness of the award of marks by every officer in charge of a party may be checked by them at least once in the course of the week. The Principal Warders should also daily examine and initial the books of the officers in their districts for the same purpose.

4. If it shall appear to them that an officer in charge of a party does not execute this duty efficiently, they shall report accordingly to the Governor, who shall take such steps as may be necessary.

5. No less care is necessary to ensure the correct entry in the penal record, and on the prisoners' cards of the awards and forfeitures. The Governor should himself, and by the Deputy Governor, frequently examine the entries to see that they are posted without delay, and that the clerks carry out their part of these duties with care and correctness.

E. F. DU CANE.

APPENDIX XII.

*Order of License to a Convict made under the Statutes 16 & 17
Vict. c. 99, s. 9 ; and 27 & 28 Vict., c. 47, s. 4.*

Whitehall,.....day of.....187....

HER MAJESTY is graciously pleased to grant to.....
who was convicted of.....at the
.....for the.....on the
.....day of.....18....and was then and there
sentenced to be kept in Penal Servitude for the term of.....
and is now confined in the.....Prison,.....
Her Royal License to be at large from the day of his liberation under this order,
during the remaining portion of his said term of Penal Servitude, unless the said
.....shall, before the expiration of the said
term, be convicted of some indictable offence within the United Kingdom, in which
case, such License will be immediately forfeited by law, or unless it shall please Her
Majesty sooner to revoke or alter such License.

This License is given subject to the conditions endorsed upon the same, upon
the breach of any of which it shall be liable to be revoked, whether such breach is
followed by a conviction or not.

And Her Majesty hereby orders that the said.....
be set at liberty within Thirty Days from the date of this Order.

Given under my hand and Seal,

Signed,

TRUE COPY.

..... }
License to be at large.

..... }
*Chairman of the Directors of }
Convict Prisons.*

*THIS LICENSE WILL BE FORFEITED IF THE HOLDER DOES NOT OBSERVE
THE FOLLOWING CONDITIONS.*

—o—

The Holder shall preserve his License, and produce it when called upon to do so by a Magistrate or Police Officer.

He shall abstain from any violation of the Law.

He shall not habitually associate with notoriously bad characters, such as reputed thieves and prostitutes.

He shall not live an idle and dissolute life, without visible means of obtaining an honest livelihood.

If his license is forfeited or revoked in consequence of a conviction for any Offence, he will be liable to undergo a Term of Penal Servitude equal to the portion of his term of.....years, which remained unexpired when his License was granted, viz., the term of.....

If it appears from the facts proved before a court of summary jurisdiction that there are reasonable grounds for believing that the convict so brought before it is getting his livelihood by dishonest means, such convict shall be deemed to be guilty of an offence against the Prevention of Crimes Act, and his license shall be forfeited.

Every holder of a license granted under the Penal Servitude Acts who is at large in Great Britain or Ireland, shall notify the place of his residence to the chief officer of police of the district in which his residence is situated, and shall, whenever he changes such residence within the same police district, notify such change to the chief officer of police of that district, and whenever he changes his residence from one police district to another, shall notify such change of residence to the chief officer of police of the police district which he is leaving, and to the chief officer of police of the police district into which he goes to reside; moreover, every male holder of such licence as aforesaid shall, once in each month, report himself at such time as may be prescribed by the chief office of police of the district in which such holder may be, either to such chief officer himself or to such other person as that officer may direct, and such report may, according as such chief officer directs, be required to be made personally or by letter.

If any holder of a license who is at large in Great Britain or Ireland, remains in any place for forty-eight hours without notifying the place of his residence to the chief officer of police of the district in which such place is situated, or fails to comply with the requisitions of this section on the occasion of any change of residence, or with the requisitions of this section as to reporting himself once in each month, he

shall in every such case, unless he proves to the satisfaction of the Court before whom he is tried that he did his best to act in conformity with the law, be guilty of an offence against the Prevention of Crimes Act, and upon conviction thereof his license may in the discretion of the Court be forfeited, or if the term of Penal Servitude in respect of which his license was granted has expired, at the date of his conviction, it shall be lawful for the court to sentence him to imprisonment, with or without Hard Labour, for a term not exceeding one year, or if the said term of Penal Servitude has not expired but the remainder unexpired thereof is a lesser period than one year, then to sentence him to imprisonment, with or without Hard Labour, to commence at the expiration of the said term of Penal Servitude, for such a term as, together with the remainder unexpired of his said term of Penal Servitude, will not exceed one year.

Where any person is convicted on indictment of a crime, and a previous conviction of a crime is proved against him, he shall, at any time within seven years immediately after the expiration of the sentence passed on him for the last of such crimes be guilty of an offence against the Prevention of Crimes Act, and be liable to imprisonment with or without hard labour, for a term not exceeding one year, under the following circumstances, or any of them.

FIRST.—If, on his being charged by a constable with getting his livelihood by dishonest means, and being brought before a court of summary jurisdiction, it appears to such court that there are reasonable grounds for believing that the person so charged is getting his livelihood by dishonest means, or,

SECONDLY.—If, on his being charged with any offence punishable on indictment or summary conviction, and on being required by a court of summary jurisdiction to give his name and address, he refuses to do so, or gives a false name or a false address ; or,

THIRDLY.—If he is found in any place, whether public or private, under such circumstances as to satisfy the court before whom he is brought that he was about to commit, or aid in the commission of any offence punishable on indictment or summary conviction, or was waiting for an opportunity to commit, or aid in the commission of any offence punishable on indictment or summary conviction ; or,

FOURTHLY.—If he is found in or upon any dwelling-house, or any building, yard, or premises, being parcel of or attached to such dwelling-house, or in or upon any shop, warehouse, counting-house, or other place of business, or in any garden, orchard, pleasure-ground, or nursery-ground, or in any building or erection in any garden, orchard, pleasure-ground, or nursery-ground, without being able to account to the satisfaction of the court before whom he is brought for his being found on such premises.

APPENDIX XIII.

(A).—*Qualifications for Convict Service, England.*

| | Limits of age. | |
|--|----------------|----------|
| | Inferior | Superior |
| I. SECRETARY | 30 | 45 |
| 1. Handwriting and orthography | | |
| 2. Writing official letters from Minutes | | |
| 3. Making abstracts of official papers. | | |
| II. DEPUTY GOVERNORS | 25 | 40 |
| 1. Handwriting and orthography | | |
| 2. Arithmetic (elementary and arithmetical tables) | | |
| 3. English composition. | | |
| III. CLERKS in Directors' Office | 18 | 25 |
| 1. Handwriting and orthography | | |
| 2. Arithmetic (including vulgar and decimal fractions) | | |
| 3. English composition | | |
| 4. French or some other modern language (translation) | | |
| IV. CLERKS in Prisons | 18 | 40 |
| 1. Writing from dictation | | |
| 2. Arithmetic (including Rule of Three, Practice, and the arithmetical tables) | | |
| V. STEWARDS | 25 | 42 |
| 1. Handwriting and orthography | | |
| 2. Arithmetic (including vulgar fractions) | | |
| 3. Book-keeping (elementary) | | |
| VI. SCHOOLMASTERS | 25 | 40 |
| Certificates from the Council on Education | | |
| Able to play organ or harmonium | | |
| [No examination.] | | |
| VII.—DEPUTY SUPERINTENDENTS in Female Convict Prisons .. | 25 | 40 |
| 1. Writing and orthography | | |
| 2. Reading | | |
| 3. Arithmetic (first four rules, simple and compound, and the arithmetical tables) | | |
| 4. Elementary grammar | | |

| | Limits of age. | |
|---|----------------|----------|
| | Inferior | Superior |
| VIII. SCHOOLMISTRESSES | 25 | 40 |
| Certificate from Council on Education | | |
| Able to play organ or harmonium | | |
| [No examination.] | | |
| IX. Lady SCRIPTURE READERS and Scripture Readers..... | 25 | 40 |
| 1. Handwriting and orthography | | |
| 2. Reading | | |
| 3. Religious knowledge (the Bible) | | |
| 4. Intelligence in communicating knowledge | | |
| X. COMPOUNDERS, not holding Certificates from the Pharma- ceutical Society..... | 24 | 40 |
| 1. Reading | | |
| 2. Writing and orthography | | |
| 3. Arithmetic (including the arithmetical tables, Reduc- tion, Practice, and vulgar and decimal fractions) | | |
| XI. COMPOUNDERS, holding Major or Minor Certificate from Pharmaceutical Society | 24 | 40 |
| 1. Reading | | |
| 2. Handwriting | | |
| 3. Writing from dictation | | |
| 4. Copying | | |
| 5. Reading manuscript | | |
| XII. FARM BAILIFFS | 24 | 40 |
| 1. Handwriting and orthography | | |
| 2. Arithmetic (including Rule of Three, Practice, and arithmetical tables) | | |
| XIII. ENGINEERS, CLERKS OF WORKS, & FOREMAN OF WORKS | 24 | 40 |
| 1. Handwriting and orthography | | |
| 2. Arithmetic (elementary) | | |
| XIV. MATRONS..... | 23 | 40 |
| 1. Reading | | |
| 2. Handwriting and orthography | | |
| 3. Arithmetic (simple addition and subtraction) | | |
| XV. SUBORDINATE OFFICERS—Division I. (including Instruct- ing Warders, Trades Warders, Assistant Warders, Messengers, Porters, Gasmen, &c. | 24 | 42 |
| 1. Reading | | |
| 2. Writing | | |
| 3. Arithmetic (simple addition and subtraction) | | |

| | Limits of age. | |
|--|----------------|----------|
| | Inferior | Superior |
| XVI. ASSISTANT MESSENGERS | 14 | 20 |
| 1. Reading | | |
| 2. Writing | | |
| 3. Arithmetic (simple addition and subtraction) | | |
| XVII. SUBORDINATE OFFICERS—Division II. (including Civil Guards, Night Watchmen, Labourers, Assistant Gasmen, and Assistant Artizans | 24 | 42 |
| 1. Reading | | |
| 2. Writing | | |

(B.)—*Application for a Situation in the Convict Prison.*

QUALIFICATIONS REQUIRED.

Candidates for the situation of subordinate officers (Division I.)¹ must be able to read and write, and to work sums in simple addition and subtraction.

Candidates for the situation of subordinate officers (Division II.)² must be able to read, and write simple words.

They will be examined at the office of the Civil Service Commissioners, if residing in or near London; if in the country, at such places as may be directed.

They must be of unexceptional moral character, of which satisfactory testimonials will be required.

They must possess activity, intelligence, and good temper.

They must not be less than 24, and not more than 42 years of age.

They must not be under 5 feet 7 inches in height for warder, and 5 feet 8 inches for guard.

All applicants must be in good health, free from any bodily complaint, and of sound constitution.

A Medical certificate will be required when the candidates are summoned for examination.

Candidates, before appointment, will have to undergo a medical examination, in order to ascertain whether they have health and strength to undertake the duties of the situation applied for.

¹ Subordinate Officers, Division 1, includes Instructing Warders, Trades Warders, Assistant Warders, Nurses, Artizans, Messengers, Porters, Gasmen, &c.

² Subordinate Officers, Division 2, includes Civil Guards, Night Watchmen, Stokers, Labourers, Assistant Gasmen, and Assistant Mechanics.

This Form to be filled up by the Candidate himself.

PARTICULARS.

Christian and Surname (in full).....
 Date of Application.....
 Residence or Address.....
 Height without Shoes.....
 County where born.....
 Age (last birthday).....
 Religion.....
 Single or Married.....
 Number of Children.....
 Ages and Sexes of ditto.....
 If vaccinated.....
 Situation applied for.....
 Trade or Occupation.....
 Present or last Employment.....
 If receiving any Pension, Amount.....
 How soon ready for proposed duties ..
 Recommended by.....
 If served in Army.....
 Particulars of Service.....
 Number of good conduct stripes, &c.....
 Signature of the Candidate.....

It is important that a full account of the employment of your time during the last five years should be given, stating whether passed in the Army, or how otherwise occupied.

State how you have been occupied during the last five years.....

If you have been in any situation, state the following particulars as to each situation :

FIRST SITUATION.

1. Name and address of employer, &c.....
2. Business, &c., of employer.....
3. Situation held by you
4. Salary or Wages
5. Length of stay (giving dates)...From.....to.....
6. Cause of leaving.....

SECOND SITUATION.

1. Name and address of employer, &c.....
2. Business, &c., of employer.....
3. Situation held by you.....
4. Salary or Wages.....
5. Length of stay (giving dates)....From.....to.....
6. Cause of leaving

*Application for the Situation of Assistant Matron in the
Convict Prisons.*

QUALIFICATIONS REQUIRED.

Candidates for the situation of Assistant Matron must be able to read, write and spell, and to work sums in simple addition and subtraction.

They will be examined at the office of the Civil Service Commissioners, if residing in or near London; if in the country, at such places as may be directed.

They must be of unexceptionable moral character, of which satisfactory testimonials will be required.

They must possess activity, intelligence, and good temper.

They must not be less than 23, and not more than 54 years of age.

All applicants must be in good health, free from any bodily complaint, and of sound constitution.

A Medical Certificate will be required when the candidates are summoned for examination.

This Form to be filled up by the Candidate herself.

PARTICULARS.

- Christian and surname (in full).....
- Date of application.....
- County where born.....
- Age (last birthday).....
- Religion
- Single or widow.....
- Residence or address.....
- Trade or occupation.....
- Present or last employment.....
- How soon ready for proposed duties.....

Recommended by
 Signature of the Candidate.....

It is important that a full account of the employment of your time during the last five years should be given, stating whether passed in business, or how otherwise occupied.

State how you have been occupied during the last five years.....

If you have been in any situation, state the following particulars as to each situation :

FIRST SITUATION.

1. Name and address of employer, &c.....
2. Business, &c., of employer.....
3. Situation held by you
4. Salary or wages.....
4. Length of stay (giving dates).... From.....to.....
6. Cause of leaving.....

SECOND SITUATION.

1. Name and address of employer, &c.....
2. Business, &c., of employer.....
3. Situation held by you.....
4. Salary or wages.....
5. Length of stay (giving dates).... From.....to.....
6. Cause of leaving.....

FORM A. (*Prov.*)—To be filled up by the candidate himself.

Department to which nominated.....Locality of situation.....
 Nature of situation.....

NOTE.—Should any of the particulars furnished, in answer to the undermentioned Queries, be found to be false within the knowledge of the Candidate, his nomination will be liable to be cancelled; or should he have been admitted to office, he will be liable to be dismissed; and if otherwise entitled to Superannuation Allowance, he will forfeit all claim thereto. The wilful suppression of any material fact will be similarly punished.

1. Usual residence.....
3. Address to which the result of the examination may be sent.....
- Day and year of birth.....
- Place of birth.....
- Age last birthday.....
- Father's name
- „ residence
- „ profession or trade.....

(If deceased, give the last residence, profession, &c.

Schools

(Mention the school or schools at which you were educated, stating the kind of schools, whether public or private, Collegiate, National, British, &c.

Mention the length of your stay in each, and the name of the master of the school attended.

Age on finally quitting school

Names and addresses in full of two referees as to character

These should be responsible persons, well acquainted with with you in private life.

Medical referee

(Give the name the name and address of the medical practitioner who has generally attended you or your family.)

Are you free from pecuniary embarrassments?

Have you been on any former occasion examined by the Civil Service Commissioners?

(If so, state when, and for what situation.)

State how you have been occupied since leaving school to the present time

If you have been in any situation, state the following particulars as to each such situation.

First Situation.

1. Name and address of employer, &c
 2. Business, &c., of employer
 3. Position held by you
 4. Salary or wages
 5. Length of stay (giving dates) ... From to
 6. Cause of leaving
- Occupation in interval

Second Situation.

1. Name and address of employer, &c
 2. Business, &c., of employer
 3. Position held by you
 4. Salary or wages
 5. Length of stay (giving dates) ... From to
 6. Cause of leaving
- Occupation in interval

Third Situation.

1. Name and address of employer, &c
 2. Business, &c., of employer
 3. Position held by you
 4. Salary or wages
 5. Length of stay (giving dates) ... From to
 6. Cause of leaving
- Occupation in interval

Fourth Situation.

1. Name and address of employer, &c.....
2. Business, &c., of employer.....
3. Position held by you.....
4. Salary or wages.....
5. Length of stay (giving dates).... From..... to.....
6. Cause of leaving.....
Occupation in interval.....

Fifth Situation.

1. Name and address of employer, &c.
2. Business, &c., of employer.....
3. Position held by you.....
4. Salary or wages.....
5. Length of stay (giving dates).... From..... to.....
6. Cause of leaving.....

Civil Service Commission, S. W.

.....a Candidate for appointment as.....
having stated that.....

I am directed by the Civil Service Commissioners to request that you will oblige them by filling up and returning to me, in the enclosed envelope "Statement" hereto annexed. The postage need not be paid.

I am to add that your answer will, if you desire it, be regarded as confidential and that the word "Confidential" should in that case be written on the envelope.

The favour of an early answer is requested.

I am, your obedient Servant,

T. WALROND.

*Statement respecting.....proposed to be
appointed to the situation of.....*

QUESTIONS.

ANSWERS.

1. Are you related to the candidate? If so, what is the }
relationship?}
2. Are you well acquainted with the candidate?
3. From what circumstances does your knowledge of him }
arise?}
4. How long have you known him?.....

5. What have been the places of his education?.....
6. If he has been in your employment, will you mention the }
 dates of his entering and quitting your service? }
7. If he has had other employment, can you give the names }
 and addresses of his employer? }
8. Is he strictly honest?.....sober?.....intelligent?.....diligent?.....
9. What has been the state of his health since you have known }
 him? }
10. Do you believe him to be free from pecuniary embarrassments?
11. Has he, to your knowledge, been bankrupt or insolvent?
12. Are you aware of any circumstance tending to disqualify }
 him for the situation which he now seeks? }
13. Would you yourself trust him with employment requiring }
 undoubtedly honesty, and would you recommend him }
 for such to your personal friends? }

Signature.....

Address

Date

(c).—*Salaries and Allowances.*

| Description of Office or Employment | Salary of Office | | | Allowances | | | | | |
|--|------------------|---------------------|-------|------------|---------|----------|-------|---------|-------|
| | Minimum | Annual Increment | | Maximum | Rations | Lodgings | | Uniform | |
| | £ | £ | s. d. | £ | £ | £ | s. d. | £ | s. d. |
| Governor | 500 | 15 | 0 0 | 650 | .. | 52 | 0 0 | .. | |
| Deputy-Governor .. | 300 | 10 | 0 0 | 350 | .. | 39 | 0 0 | .. | |
| Chaplain | 300 | 10 | 0 0 | 400 | .. | 52 | 0 0 | .. | |
| Assistant-Chaplain.. | 200 | 5 | 0 0 | 250 | .. | 39 | 0 0 | .. | |
| Medical Officer | 300 | 10 | 0 0 | 350 | .. | 39 | 0 0 | .. | |
| Assistant Surgeon.. | 200 | 5 | 0 0 | 250 | .. | 39 | 0 0 | .. | |
| Steward | 200 | 10 | 0 0 | 300 | .. | 26 | 0 0 | .. | |
| Manufacturer..... | 150 | 5 | 0 0 | 200 | .. | 26 | 0 0 | .. | |
| Clerks, 1st class.... | 140 | 5 | 0 0 | 190 | .. | .. | | .. | |
| „ 2nd „ | 80 | 5 | 0 0 | 130 | .. | .. | | .. | |
| Scripture Reader .. | 130 | 5 | 0 0 | 160 | .. | 19 | 10 0 | .. | |
| Schoolmasters, 1 class | 130 | 5 | 0 0 | 160 | .. | 26 | 0 0 | .. | |
| „ 2 „ | 80 | 5 | 0 0 | 125 | .. | 19 | 10 0 | .. | |
| Foreman of Works ¹ . | 80 | 2 | 10 0 | 100 | 14 | 15 | 12 0 | .. | |
| Chief Warders | 103 | 2 | 0 0 | 123 | 14 | 15 | 12 0 | 3 | 0 0 |
| Principal Warders.. | 63 | 1 | 10 0 | 78 | 14 | 5 | 4 0 | 3 | 0 0 |
| Do. Infirmary do... | 62 | 1 | 10 0 | 77 | 14 | 5 | 4 0 | 3 | 0 0 |
| Warders | 54 | 1 | 5 0 | 66 | 14 | 5 | 4 0 | 2 | 8 0 |
| Assistant do. | 51 | 1 | 0 0 | 61 | 14 | 5 | 4 0 | 2 | 8 0 |
| Cook | 63 | 1 | 10 0 | 78 | 14 | 5 | 4 0 | 3 | 0 0 |
| Baker | 63 | 1 | 10 0 | 78 | 14 | 5 | 4 0 | 3 | 0 0 |
| Messenger | 53 | 1 | 5 0 | 65 | 14 | 5 | 4 0 | 2 | 8 0 |
| Gatekeeper | 63 | 1 | 10 0 | 93 | 14 | 5 | 4 0 | 3 | 0 0 |
| „ | 59 | 1 | 5 0 | 71 | 14 | 5 | 4 0 | 2 | 8 0 |
| Night Watchman.. | 45 | 1 | 0 0 | 55 | 14 | 5 | 4 0 | 2 | 8 0 |
| Infirmary Nurse .. | 45 | 1 | 0 0 | 55 | 14 | 5 | 4 0 | 2 | 8 0 |
| Engineer..... | 73 | 1 | 10 0 | 88 | 14 | 19 | 10 0 | 3 | 0 0 |
| Plumber | .. | .. | | 78 | .. | .. | | .. | |
| Stoker | 47 | 1 | 0 0 | 57 | 14 | 5 | 4 0 | .. | |
| Steward's Porter .. | 45 | 1 | 0 0 | 55 | 14 | 5 | 4 0 | 2 | 8 0 |
| Manufacturer's do.. | 45 | 1 | 0 0 | 55 | 14 | 5 | 4 0 | 2 | 8 0 |
| Labourer..... | 45 | 1 | 0 0 | 55 | 14 | 5 | 4 0 | 2 | 8 0 |

(D.) *Superannuation.*

Ten-sixtieths of salary and allowances after 10 years' service and one-sixtieth more for every additional year's service, up to a maximum of forty-sixtieths. No person as a rule is awarded under 10 years' service, but a gratuity calculated at 1 month's pay and allowance for each year's service.

(E.)—SCALE OF FINES *authorized by the Secretary of State to be levied by Governors and Superintendents upon all the Subordinate Officers and Servants of the Establishment for Neglect of Duty.*

Such Fines to be deducted from their Pay in the Monthly Pay List, and not to be drawn.

Directors shall have power to fine any Subordinate Officer for neglect or violation of duty, in no case to exceed three months' pay of the officer fined.

1. Coming late to duty, any time not exceeding five minutes.

1st offence, 6*d.*, and 3*d.* for every additional five minutes; 2nd offence double fines; 3rd offence, treble.

When the fine exceeds 2/6, a special report is to be made to the Visiting Directors.

2. Leaving a cell or principal door unlocked.

3. Entering a prisoner's cell at night contrary to orders.

4. Allowing any unauthorized person to communicate with a prisoner within or outside the prison walls.

1st offence, 5/-; 2nd offence, 10/-; 3rd offence, suspension.

5. Leaving a cell, or passage, or other door singly locked which ought to have been double shotted.

6. Leaving a passage or other door (not included in No. 2) unlocked.

7. Leaving keys in a door or lying about.

8. Cursing, swearing, or using indecent or immoral language.

1st offence, 3/6; 2nd offence, 7/-; 3rd offence, 10/-.

9. Sleeping whilst on duty—by day.

Suspension.

10. Sleeping whilst on duty—by night.

Suspension.

11. Omitting at the proper times to ring the signal or call bell, should there be one.

12. Leaving prisoners in the halls, wards, prison grounds, exercising yards, and elsewhere within or outside the prison walls unattended by an officer or other authorized person.

13. Speaking unnecessarily of the prison arrangements in the hearing of prisoners.

14. Omitting to make the prescribed reports at the proper times, or to keep the prescribed lists, rolls, or accounts.

15. Carelessly searching or omitting to search a prisoner, and allowing him to retain any forbidden article or money.

16. Neglecting to report the wish of a prisoner to see a visitor, the Governor, Deputy Governor, Chaplain, Medical Officer, or Principal Warder.

1st offence, 2/6; 2nd offence, 4/-; 3rd offence, 5/-.

17. Neglecting to have the gas lights, lamps, candles, &c., properly trimmed and burning at the times appointed.

18. Neglecting to extinguish any lights or fires at the time appointed.

19. Omitting to pull the tell-tale at the appointed times.

20. Neglecting to answer a prisoner's call or bell.

21. Neglecting to examine the cell or other fastenings under their charge, and to examine and search the wards, cells, bedding, &c.

22. Allowing tools or other materials, or any cleaning articles, to be lying about out of their appointed places.

23. Allowing dirt to accumulate in the wards, cells, yards, or passages, or other places under their charge.

24. Neglecting to attend to the cleanliness of the prisoners in their charge, or the necessary repairs of their clothing.

25. Omitting to report any injury done to the prison furniture, or any marks or defacings on the walls, windows, partitions or paint, or other portions of the prison.

26. Leaving two prisoners together in any place without a warder or other proper attendant.

27. Allowing prisoners to leave the wards or cells improperly dressed.

28. Inattention when in charge of prisoners in the wards, or when at labour or exercise, &c.

29. Communicating with unauthorized persons in the prison, or outside when in charge of prisoners.

30. Omitting to give notice in writing to the Governor, Deputy-Governor, or appointed officer, previously to leaving the prison on leave of absence.

31. Allowing strangers to enter the wards, sheds, or exercising yards when occupied by prisoners, unless by order of the Visitors, the Governor, or Deputy-Governor, or other competent authority.

32. Appearing in the prison improperly dressed, slovenly, unshaven, or unclean.

33. Appearing at any time within the prison, or, whilst on duty, beyond the prison walls, out of uniform.

34. Being absent from quarters after 10 o'clock at night without special leave.

35. Wrangling together, whether on duty or not, or in any way obstructing the duties of the prison.

36. Omitting to report without delay any irregularity or omission of duty in himself, a brother officer, or servant, or a prisoner.

37. Omitting when sick to send or deliver a Medical certificate or notice to the Governor or Deputy-Governor, or omitting when convalescent to report his return (in writing) before 12 o'clock on the day of such return.

1st offence, 1/-; 2nd offence, 2/-; 3rd offence, 3/-.

38. Omitting to count the prisoners going to and returning from labour, the working sheds, the exercising yards, and at locking up and unlocking or other appointed times.

39. Omitting at any time to withdraw from the halls, yards, shops, wards, or cells, such tools, implements, and articles as ought to be withdrawn.

40. Making unnecessary noises in and about the prison.

1st offence, 6d.; 2nd offence, 1/-; 3rd offence, 1/6.

COOK.

41. Serving more or less than the prisoners' proper allowance of food.

42. Inattention to the cooking of the officers' or prisoners' meals, or negligently spoiling the same.

43. Neglecting to keep such accounts of provisions, &c., as may be required of him, or immediately to report any deficiency in the quality of the provisions.

1st offence, 1/6; 2nd offence, 3/-; 3rd offence, 5/-.

44. Omitting to prepare the meals at the appointed times, whether for officers or prisoners.

45. Neglecting to keep the kitchen, store rooms, mess room, furniture, and utensils therein, in clean condition and good order.

1st offence, 1/-; 2nd offence, 1/6; 3rd offence, 2/-.

GATE-KEEPERS.

46. Omitting to attend at the gate ready to admit the officers and servants precisely at the times appointed.

1st offence, 1/-; 2nd offence, 2/-; 3rd offence, 3/-.

47. Allowing prisoners to pass the gate without being in charge of a warder.

1st offence, 5/-; 2nd offence, 10/-; 3rd offence, suspension.

48. Omitting to search articles, bundles, carts, &c., going in or out of the prison.

1st offence, 5/-; 2nd offence, 10/-; 3rd offence, suspension.

ALL SUBORDINATE OFFICERS AND SERVANTS.

49. Disobedience or negligence with respect to any of the prison rules or regulations not here expressly mentioned, or to any order given by their superior officers or persons in authority connected with the prison.

For each offence, any sum not less than 6*d.* nor exceeding 2/6; 2nd offence, double; 3rd offence, treble.

The repetition of an offence will not be deemed a second or third offence under this scale unless occurring within six months of the previous offence. Any offence repeated beyond the third time will be specially reported for the consideration of the Visiting Director, except cases of being late for duty, which will be specially reported whenever the Governor may consider it necessary.

Fines exceeding 5/- can only be levied on the authority and approval of a Director.

Appendix applicable to Millbank and Pentonville Prisons only.

For leaving a cell unbolted, though the same be locked and the prisoner unable to get out—6*d.*

For leaving a cell unlocked, though the same be bolted and the prisoner unable to get out—1/.

For leaving a cell both unlocked and unbolted—to be reported to the Director, who will either dismiss or fine at discretion.

Without due order, making any alteration from the system of management duly established, or any neglect or breach of duty, in the opinion of the Governor deserving to be marked by more than admonition but not requiring suspension—from 6*d.* to 1/6.

Careless searching, 1/-.

Loud talking and wrangling, tending to the disturbance of the ward—6*d.*

APPENDIX XIV.

Sanitary Reports on Convict Prisons and other Medical Reports.

No. 339.

20th May, 1871.

With reference to the rules for Medical Officers, in which certain periodical inspections are ordered with a view to ensuring the health of the prisoners, and good sanitary condition of the prison, the Secretary of State has directed that in future a full and detailed Report of the Sickness and Mortality in each prison and of the

Sanitary condition of the prisons shall be made quarterly, according to the accompanying form. The Monthly Report is also to be rendered, according to the enclosed form, No. 458m. in lieu of 262 [Millbank and Brixton], and 458m. [other prisons.]

The enclosed amended forms of "Medical History Sheet, No. 443m." "Medical Statistics, No. 453m." and "Statement of Cases of Invalid Convicts, No. 451m." are in future to be used in lieu of those heretofore furnished, the object being to improve the statistics and records of the health of the convicts, and of their medical treatment while in prison.

The Medical Officers of the County and Borough Prisons have been requested to furnish a statement on the accompanying form, on the occasion of their sending an invalid convict to a Government Prison.

E. F. DU CANE.

Sanitary Reports of Medical Officers.

No. 458m.

.....Prison.147..

SIR,—I have the honour to report that according to the established rule, I, oninspected every part of the prison, to ascertain whether anything exists therein likely to be injurious to the health of the prisoners, and especially whether the ventilation is sufficiently provided for and attended to, and have to report.....

Having seen every Prisoner, as directed I beg to report as regards their present state of health that.....

The Visiting Director.

The following is the Return of the number of Infirmary Sick, and of cases treated as casual Sick in the Wards of the Prison during the month of.....187..

PER CENTAGE

Daily average number of Prisoners
 Daily average number of Infirmary Sick
 Number of Sick in the Infirmary on the last day of last month.....
 Number admitted to the Infirmary during the month
 Number in the Infirmary on the last day of the present month
 Number of deaths during the month
 Number of cases of casual Sick, including new cases and renewed applications.....

I have the honour to be, Sir, your obedient Servant,

.....Medical Officer.

Sanitary Report of.....Prison, for the Quarter ending the last day of.....187

Date..... Medical Officer.

1. State whether the temperature of the air in the Cells, and other parts of the Prison, has been such as to promote the health of the prisoners, whether the apparatus for warming and ventilating is in good working order, and whether the officers appointed to regulate the ventilation and warming understand the action of the system in use, and have discharged those duties with care and efficiency.

[NOTE.—*The channels through which the fresh air is supplied should be examined periodically, to see that they are cleanly. Thermometers should be fixed in every Hall or place occupied by Prisoners, for the information of the responsible Officers.*]

2. State whether the water has been sufficient in quantity, and of good quality.

3. State whether the food has been of good quality, and what changes, if any, have been made in the ordinary supply.

4. State whether the modes of preparation and serving up of the food have been according to order, and whether the cooking and baking are efficiently performed.

5. State whether the means employed to preserve cleanliness in the persons, the bedding, and the clothing of the prisoners have been sufficient.

6. State whether any nuisance has arisen during the quarter, from any defect of drainage or sewerage, or any want of cleanliness in the water-closets, sinks, urinals, or any other parts of the prison.

7. State whether any, and, if so, what, other influences in the prison, or its immediate neighbourhood, have appeared to you to exercise an injurious effect upon the health of the prisoners, and what remedy you would propose.

3. State the condition of the subordinate officers' quarters with reference to—1st—Cleanliness, 2nd—Drainage and Sewerage. 3rd—Water supply. 4th—Overcrowding. 5th—Local cause of diseases.

APPENDIX XV.

Extracts from a Paper by Capt. PERCY SMITH, R.E., in the "Professional Papers of the Royal Engineers," Vol. xvi.¹

It is hoped that a consideration of the Appendices will show that the following results have been attained :—

I. An average soldier in a working party, such as that shewn as page 95, does,

¹ NOTE.—I believe the advantages of prison labour are somewhat under-estimated in this paper, because some of Captain SMITH's data were taken "on the safe side." Also we now undoubtedly obtain better results than at the time these observations were made.—E.F.D.C.

in his working day of nine hours, about $\frac{2}{3}$, and a convict, in his working day of seven hours, about $\frac{1}{3}$, of what a civilian does in his working day of $9\frac{1}{2}$ hours. [Appendix to page 93.]

II. In carrying out works, a party of soldiers working only five days a week would take about $1\frac{1}{2}$ times as long, and a party of convicts (working six days a week) about three times as long, as a similar party of civilians working six days a week. [Appendix to page 93.]

There is no cost whatever really chargeable to the works for a convict, that is, the Department employing him has nothing to pay for him. but there is a certain extra expense which falls upon the country when he is employed upon works, in consequence of the extra supervision required, when he is out and away from the prison.

The cost of this extra supervision is assumed, upon the data given in Appendix 2, to be 6*d.* per diem. [Appendix 2 to page 96.] Combining this information with that before arrived at, we find—[see Appendix 3]—that, taking working pay only into consideration, the cost per unit of work done by the soldier is on an average $\frac{1}{2}$, and of that done by the convict is—for extra supervision only, $\frac{1}{3}$ of that done by the civilian. [Appendix page 96.]

Many officers who may take the trouble to read these notes have doubtless had more opportunities of seeing military and convict work than has the writer, whose experience is derived chiefly from the fortifications in the Portland district, from measurement and notes upon which the data furnished in this paper have been taken. On these works he is perhaps not in a position to give an unbiassed opinion, but still it may be stated with regard to Nothe Fort—built by soldiers—that the opinions of many impartial judges—inspecting officers, &c.—has been that the work is quite equal to that done by civilians, and it was reported on by the late contractor's foreman as “rather superior” to contract work. At Portland there are many buildings erected by convicts which stand side by side with, and cannot be distinguished from similar works built by civilians.

The advantages of employing convicts on works are obvious. The hard work necessary for their punishment is made reproductive, it improves them physically, and is not of such a nature as to make them dogged and prevent mental improvement; they acquire habits of industry, and in many instances pick up a trade or such knowledge of work that they qualify themselves to earn an honest living when their sentences expire. On the other hand, they work for very short hours; they must be withdrawn from the work on foggy days for fear of escape; they cannot be kept extra hours on an emergency; they cannot be employed singly without great extra expense for superintendence, nor can they be put into many positions of trust in which they may be required.

Again, if the same work had been done by convicts, we find by applying the information we have obtained, that the cost would have been as follows:

| | Per Cent. |
|--|------------------|
| Materials (the same) | 46 |
| Labour, $\frac{1}{3}$ the cost | 10 |
| Superintendence..... | 5 |
| Plant, the same quantity, but deteriorating 3 times as long } 3 \times 3 = 9 per cent. | 9 |
| Idle money, the same capital idle 3 times as long, and pay- } ing only 3 per cent., 2 \times 3 \times $\frac{3}{5}$ | 3 $\frac{3}{5}$ |
| Profit (the remainder) | 25 $\frac{2}{5}$ |
| | <u>100</u> |

In this case, again, the idle money is no loss to the Department employing the convicts, which moreover does not pay the 10 per cent. for extra superintendence. The real profit accruing to the Department is $26\frac{2}{5} + 3\frac{3}{5} + 10 = 40$ per cent.

We see, therefore, in this particular instance of a casemated fort, that whereas by contract the Department would have to pay the full value of the work by employing military labour, a profit would result amounting to 28 per cent., and by convict labour a profit of 40 per cent.

It is evident that as the labour is the only item on which a saving can be effected, the more of it that can be introduced the greater the saving will be. The proportions given above are for a fort, the bricks and stone for which are purchased, but if the bricks are made, and the stone quarried by the cheaper labour, the profits of the brickmaker and quarryman are added to those of the builder, and the resulting profit is, for military labour $38\frac{1}{2}$ per cent., and for convict labour 54 per cent.

*To find the average amount of work done by the Soldier or Convict,
as compared with the Civilian.*

From Appendices 1B., 1C., 1A., we see that the values at civilian rates of the work done in days of the lengths mentioned here—

| | Hours | Amount |
|----------------|----------------|----------------|
| Soldier | 9 | $3\frac{1}{2}$ |
| Convict | 7 | $1\frac{1}{7}$ |
| Civilian | $9\frac{1}{2}$ | $4\frac{1}{8}$ |

Therefore compared with a civilian a soldier earns as $3\frac{1}{2}$ to $4\frac{1}{8}$ or $\frac{3\frac{8}{8}}{4\frac{1}{8}}$ say $\frac{2}{3}$.

Do. a convict..... $1\frac{1}{7}$ to $4\frac{1}{8}$ or $\frac{1\frac{9}{8}}{4\frac{1}{8}}$ say $\frac{1}{3}$.

But the soldier, besides working shorter hours, is at drill on Saturdays, and therefore only works $\frac{5}{6}$ the number of days worked by the civilian, the whole

amount earned or done by him in a week compared to that done by the civilian is therefore $\frac{2}{3} \times \frac{5}{6} = \frac{10}{18} = \frac{5}{9}$.

Therefore a military working party would take $1\frac{4}{5}$ as long to do the work as a similar party of civilians on day work, and as convicts work the same number of days as civilians, a convict working party would take three times as long as a civilian working party of the same strength.

From the above, we easily ascertain that in a day of $9\frac{1}{2}$ hours, the following would be the values of work done at civilian rates—

| | |
|---------------|--------------------------------------|
| Civilian..... | 4/8 |
| Soldier | $\frac{19}{18} \times 3/2 \dots 3/2$ |
| Convict | $\frac{19}{14} \times 1/7 \dots 2/2$ |

The relative amounts of work done by civilian, soldier, and convict, in a day of the same length, are therefore as follows:—

| | |
|---------------|------------------------------------|
| Civilian..... | 4/8 or 56 <i>d.</i> , or 11 or 1·0 |
| Soldier | 3/4 or 40 <i>d.</i> , or 8 or ·71 |
| Convict..... | 2/2 or 26 <i>d.</i> , or 5 or ·46 |

*To find the Amount repaid by a Convict each day he is employed
on the Works.*

A convict costs on an average, without the extra guarding required for the works, about 1/8 per diem. [Appendix 9].—The work he does each day is worth, at civilian rates, about 1/7—[Appendix 1 to page 96]—and he costs for extra supervision 6*d.* per diem. Supposing him to be employed on a casemated fort, we know that the value of the labour, civilian rates, is 31 per cent., and the contractor's profit is 13 per cent. of the whole value of the work. The convict keeps the plant three times longer in use, and it costs, therefore, 9 instead of 3 per cent.; he loses, therefore, on it 6 per cent. The value of the work done is, at civilian rates, 1/- per diem, therefore the contractor's profit would be $\frac{13}{31} \times 1/7 = 8$.

The convict would clear per diem, therefore, as follows:—

| | <i>s.</i> | <i>d.</i> |
|--|-----------|-----------|
| He does 1/7 worth of work for 6 <i>d.</i> , saving | 1 | 1 |
| He clears the Contractor's profit, 13 per cent. | 0 | 8 |
| | <hr/> | <hr/> |
| | 1 | 9 |
| He loses on the plant, 6 per cent. | 0 | 3½ |
| | <hr/> | <hr/> |
| | 1 | 5½ |
| | <hr/> | <hr/> |

That is, he clears $1/5\frac{1}{2}$ per diem, out of $1/8$, his cost to the country. But as the department employing him pays nothing at all for him, he clears for the Department as follows :—

| | | |
|---|-------|-----------------|
| | s. | d. |
| He does $1/7$ worth of work for nothing..... | 1 | 7 |
| He saves the Contractor's profit, 13 per cent. | 0 | 8 |
| | <hr/> | |
| | 2 | 3 |
| He loses on plant 6 per cent..... | 0 | $3\frac{1}{2}$ |
| | <hr/> | |
| He clears for the Department | 1 | $11\frac{1}{2}$ |
| | <hr/> | |

Table shewing the probable proportions of Expenditure on different works carried out by Convict labour.

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|---|-----------------|--|-----------------|----------------------------------|--|-------------------|-------|--|---------|
| | Materials | Labour, cost of extra superintendence $\frac{1}{3}$ cost of civil labour | Superintendence | Plant 3 times cost to contractor | Idle money $1\frac{1}{4}$ cost to contractor | Profit to country | Total | Profit to War Department, column 2+3+6 | Remarks |
| Casemated work, bricks and stone purchased | 46 | 10 | 5 | 9 | $3\frac{3}{4}$ | $26\frac{2}{5}$ | 100 | 40 | |
| Casemated work, bricks made and stone quarried on the spot | $26\frac{1}{2}$ | 14 | 6 | $13\frac{1}{2}$ | $4\frac{1}{2}$ | $35\frac{1}{2}$ | 100 | 54 | |
| Brickwork in thick walls. Bricks purchased | 64 | 6 | 5 | 3 | 1 | 21 | 100 | 28 | |
| Quarrying | 11 | 16 | 2 | 21 | $5\frac{1}{2}$ | $44\frac{1}{2}$ | 100 | 66 | |
| Making bricks | 35 | 13 | 1 | 20 | $\frac{1}{4}$ | $30\frac{3}{4}$ | 100 | 44 | |
| Stone wall, 8 feet thick, heavy stones requiring gantry | $43\frac{1}{2}$ | $9\frac{1}{2}$ | 3 | $21\frac{3}{4}$ | $5\frac{1}{2}$ | $16\frac{3}{4}$ | 100 | $31\frac{3}{4}$ | |
| Carpenters' work | 36 | 15 | 4 | — | — | 45 | 100 | 60 | |
| Casemated fort,—labour costing twice what it does in England,—bricks and stone purchased | 35 | 8 | 4 | $7\frac{1}{2}$ | $2\frac{3}{4}$ | $42\frac{3}{4}$ | 100 | $53\frac{1}{2}$ | |
| Casemated fort,—labour costing three times what it does in England, bricks and stone purchased..... | 28 | 6 | 3 | $5\frac{1}{2}$ | $2\frac{1}{4}$ | $55\frac{1}{4}$ | 100 | $63\frac{1}{2}$ | |
| Earthwork, digging and wheeling 150 yards..... | 0 | 22 | 4 | 6 | $1\frac{1}{5}$ | $66\frac{1}{5}$ | 100 | 90 | |

Statement shewing the Value of Work done in a Day of Seven Hours by a Working Party of Convicts.

| Trade | No. | Value of work done per man in seven hours | | | Total value of work done, estimated at Civilian Rates | | | Remarks |
|-------------------|-----|---|----|----|---|----|----|---------------|
| | | £ | s. | d. | £ | s. | d. | |
| Carpenters | 18 | 0 | 2 | 1 | 1 | 17 | 6 | No piece-work |
| Masons | 20 | 0 | 1 | 9 | 1 | 15 | 0 | |
| Bricklayers | 14 | 0 | 1 | 9 | 1 | 4 | 6 | |
| Smiths | 10 | 0 | 2 | 1 | 1 | 0 | 10 | |
| Painters | 3 | 0 | 1 | 9½ | 0 | 5 | 4½ | |
| Labourers..... | 60 | 0 | 1 | 3½ | 3 | 17 | 6 | |
| | 125 | 0 | 1 | 7 | 10 | 0 | 8½ | |

This estimate of the value of the work done per diem by convicts differs from others that have been made, and must be taken simply as an opinion founded upon observation and measurements on work done by convicts, and upon information received from men of great experience in convict labour.

The amount of work done will no doubt vary materially with the state of discipline of a particular prison, the nature of work, climate, &c.

APPENDIX XVI.

The principal Acts of Parliament which regulate the convict prisons are as follows:—5 Geo. IV., cap. 84; 5 Vict., sess. 2, cap. 29; 6 and 7 Vict., cap. 26; 13 and 14 Vict., cap. 39; 16 and 17 Vict., cap. 99; 20 and 21 Vict., cap. 3; and 27 and 28 Vict. cap. 47. There is no complete code of laws on the subject of convict prisons; the various Acts of Parliament have been passed from time to time, as the system developed.

THE END.

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